

# EXHIBIT 9

Deposition of Luke O'Day  
taken July 23, 2023



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In the matter of:

**Estate of Antonio Gonzales, et al.**

**v.**

**Joseph Anthony Mensah, et al.**

Case No.: 2:21-CV-00848

Witness: Luke O'Day

Date: July 21, 2023

Court Reporter: Alice Barbeln

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

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ESTATE OF ANTONIO GONZALES, et  
al.,

Plaintiffs,

-vs-

Case No. 21-CV-848-LA

JOSEPH ANTHONY MENSAH, et al.,

Defendants.

-----  
ESTATE OF JAY ANDERSON, JR.,  
et al.,

Plaintiffs,

-vs-

Case No. 21-CV-1179-LA

JOSEPH ANTHONY MENSAH, et al.,

Defendants.

-----  
ESTATE OF ALVIN COLE, et al.,

Plaintiffs,

-vs-

Case No. 22-CV-856-LA

JOSEPH ANTHONY MENSAH, et al.,

Defendants.

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Examination of LUKE O'DAY,  
  
taken at the instance of the Plaintiffs, under and  
pursuant to the Federal Rules of Civil Procedure,  
before ALICE M. BARBELN, a Registered Professional  
Reporter and Notary Public in and for the State of  
Wisconsin, via Zoom videoconference, on  
  
July 21, 2023, commencing at 9:34 a.m. and concluding  
at 11:36 a.m.

## A P P E A R A N C E S

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\* \* \* \* \*

## I N D E X

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**Exhibit 31** - 172-Page Milwaukee Police  
Department Investigation Document.. 54

Disposition Of Original Exhibit:

Attached To Original Transcript

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By Ms. Motley - Copy of Those 80 Pages That  
Luke O'Day Received..... 79

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<p style="text-align: right;">Page 4</p> <p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2 LUKE O'DAY, called as a witness</p> <p>3 herein, having been first duly sworn on oath,</p> <p>4 was examined and testified as follows:</p> <p>5 EXAMINATION</p> <p>6 BY MS. MOTLEY:</p> <p>7 Q Good morning Mr. O'Day.</p> <p>8 A Good morning.</p> <p>9 Q Before we get started, I wanted to make sure</p> <p>10 that you are comfortable. I understand that</p> <p>11 there is some medical concerns. I want to make</p> <p>12 sure that you are okay with where you are</p> <p>13 situated and everything?</p> <p>14 A Yes.</p> <p>15 Q Okay. Thank you. Is it okay if I call you</p> <p>16 Mr. O'Day?</p> <p>17 A You can call me Luke if you like; it makes no</p> <p>18 difference to me.</p> <p>19 Q Okay. Thank you. Just for purposes of this,</p> <p>20 I'll call you Mr. O'Day, but I appreciate it.</p> <p>21 A Okay. All right.</p> <p>22 Q Before we get started, I just wanted to ask</p> <p>23 you, have you ever been deposed before?</p> <p>24 A I was deposed once, probably back in 1997 or</p> <p>25 -08, so it's been a while.</p>	<p style="text-align: right;">Page 5</p> <p>1 Q Okay. And with regards to you being deposed</p> <p>2 before, just so you know, there is certain</p> <p>3 ground rules. So any answers to questions, if</p> <p>4 you could please answer those verbally as</p> <p>5 opposed to nonverbals because we have a court</p> <p>6 reporter that's taking everything down.</p> <p>7 A Yes.</p> <p>8 Q And I have a bad habit of this, but we need to</p> <p>9 make sure that we are not talking over each</p> <p>10 other because obviously it's going to be</p> <p>11 difficult for the court reporter to take things</p> <p>12 down; do you understand that?</p> <p>13 A I do.</p> <p>14 Q Okay. And are you on any medications today</p> <p>15 that would hinder your -- what you say in the</p> <p>16 depositions?</p> <p>17 A No, I'm not.</p> <p>18 Q Okay. And I don't know how to put this, but</p> <p>19 you are of sound mind, and you are fine with</p> <p>20 moving forward with the deposition today?</p> <p>21 A I am, yes.</p> <p>22 Q Okay. And you are proceeding by yourself,</p> <p>23 right?</p> <p>24 A I am.</p> <p>25 Q Okay, great. So I want to begin with -- could</p>
<p style="text-align: right;">Page 6</p> <p>1 you please explain your law enforcement</p> <p>2 experience to us?</p> <p>3 A So -- such as my whole career?</p> <p>4 Q Yes, please.</p> <p>5 A Okay. So I was hired in 1996. I did -- I was</p> <p>6 assigned to a district for about four years.</p> <p>7 Two of those years I was assigned as a</p> <p>8 captain's car, which meant I just -- myself and</p> <p>9 some other officers -- I think there were four</p> <p>10 of us -- we would handle things specific to the</p> <p>11 needs of the captain. From there, I joined a</p> <p>12 special unit called "Street Crimes." I think I</p> <p>13 was on that for a year, year-and-a-half. And</p> <p>14 then I was added to the tactical-enforcement</p> <p>15 unit, which is what other departments call</p> <p>16 SWAT. I was on that unit for four years.</p> <p>17 Q Excuse me. Real quick. And all of these sort</p> <p>18 of units are with Milwaukee Police Department?</p> <p>19 A Yes, so it's a 25-year career with -- in law</p> <p>20 enforcement only with Milwaukee Police</p> <p>21 Department.</p> <p>22 Q Okay. Thank you. Please continue.</p> <p>23 A So the first ten years were those specific</p> <p>24 assignments. I was promoted to the rank of</p> <p>25 detective where I did 15 years. I started</p>	<p style="text-align: right;">Page 7</p> <p>1 off -- I spent almost all of my years on late</p> <p>2 shift, which would have been from midnight</p> <p>3 until 8:00, and so I did a couple years --</p> <p>4 or year and -- a couple years on violent</p> <p>5 crimes, so shootings, stabbings, robberies,</p> <p>6 whatnot, and then I was moved to the</p> <p>7 metropolitan investigation unit, which is what</p> <p>8 housed the homicide unit. I was in a support</p> <p>9 role for maybe a year or two, and then</p> <p>10 eventually, due to manpower, we were all kind</p> <p>11 of folded in, and we had -- I did I think about</p> <p>12 six or seven years on homicide. I finally went</p> <p>13 day shift, I believe, in either '17 or '18, and</p> <p>14 then I spent maybe another year doing violent</p> <p>15 crimes on day shift, and then I went to the</p> <p>16 financial-crimes unit I think the last three or</p> <p>17 four years, so I don't know if the math all</p> <p>18 works out, but it's 15 years as a detective.</p> <p>19 Q Okay, great. And you are now retired from the</p> <p>20 City of Milwaukee Police Department?</p> <p>21 A Yes. I retired in 2021.</p> <p>22 Q Okay, great. Congratulations.</p> <p>23 A Thank you.</p> <p>24 Q How is retirement treating you?</p> <p>25 A A lot of recovery. I mean, you know, it's a</p>

<p>Page 8</p> <p>1 tough job, and you don't get a lot of sleep,</p> <p>2 and so it's been nice to kind of get back to a</p> <p>3 regular human-being-type role.</p> <p>4 Q Okay, great. Well, thank you for sharing that.</p> <p>5 And with regards to your experience as</p> <p>6 a law enforcement officer, I know you said you</p> <p>7 were deposed once before, but have you ever</p> <p>8 testified in court?</p> <p>9 A From a deposition or from just regular</p> <p>10 testifying?</p> <p>11 Q Just regular testifying.</p> <p>12 A Yes, of course.</p> <p>13 Q How many times?</p> <p>14 A A lot. I mean, you have to think, I did a</p> <p>15 number of trials as a uniform officer. I did a</p> <p>16 lot of trials as a detective. I don't know, I</p> <p>17 guess a hundred times, maybe, I don't know,</p> <p>18 maybe less, maybe more. It's hard to guess.</p> <p>19 Q But a lot?</p> <p>20 A A lot, yeah. I've had experience in trials,</p> <p>21 yes.</p> <p>22 Q Okay. And have you had experience with traffic</p> <p>23 stops as a law enforcement officer?</p> <p>24 A Yes, obviously when I was in patrol I did</p> <p>25 traffic-accident stops.</p>	<p>Page 9</p> <p>1 Q Hundreds of traffic stops, would you say?</p> <p>2 A No, because I was really only doing routine</p> <p>3 patrol for a couple of years before I went to</p> <p>4 the captain's car, which we didn't really focus</p> <p>5 on that. When I was on street crimes and the</p> <p>6 tactical-enforcement unit, we did traffic stops</p> <p>7 but not the frequency you would have done, but</p> <p>8 I would say maybe a hundred traffic stops,</p> <p>9 maybe more. I don't know. It's such a long</p> <p>10 time ago, I have no idea, but I obviously have</p> <p>11 experience in traffic stops, yes.</p> <p>12 Q Okay. And I'm sorry if I'm asking questions</p> <p>13 that are so, obviously can't be answered like</p> <p>14 how many times, but I just need to make a</p> <p>15 record.</p> <p>16 A No problem.</p> <p>17 Q And you've been involved with a lot of homicide</p> <p>18 investigations, correct?</p> <p>19 A I have, yes.</p> <p>20 Q Would you say, you know, hundreds of</p> <p>21 homicide -- how many homicide investigations</p> <p>22 have you been involved in?</p> <p>23 A I would say definitely over a hundred. So the</p> <p>24 way Milwaukee Police Department and the</p> <p>25 homicide unit works, you may get sent out as a</p>
<p>Page 10</p> <p>1 unit, but we brief every eight hours and so you</p> <p>2 may not have worked the night that you had a</p> <p>3 unit go out, and you come in the next night,</p> <p>4 and now you have follow-up, so if you are</p> <p>5 talking specific scenes, yes, definitely over a</p> <p>6 hundred. If you talk about having a part in</p> <p>7 the investigations that you weren't initially</p> <p>8 there for, well over a hundred. I wouldn't</p> <p>9 know a number to give you, but probably over</p> <p>10 200 or more. I mean. Milwaukee's had a lot of</p> <p>11 homicides over the years.</p> <p>12 Q Yes, unfortunately.</p> <p>13 A Yes.</p> <p>14 Q And with your tenure as a police officer,</p> <p>15 you've dealt a lot with being involved with,</p> <p>16 you know, direct contact with community people,</p> <p>17 correct?</p> <p>18 A Yes, like as victims or suspects or family</p> <p>19 members and whatnot, that type of thing?</p> <p>20 Q Yes.</p> <p>21 A Yes.</p> <p>22 Q And that you've done hundreds of times,</p> <p>23 correct?</p> <p>24 A Yes, hundreds of times.</p> <p>25 Q Okay. And have you ever been -- other than</p>	<p>Page 11</p> <p>1 this case, have you ever been involved in any</p> <p>2 police-involved criminal investigations?</p> <p>3 A So officer-involved shootings?</p> <p>4 Q Well, just criminal investigations, let's start</p> <p>5 with that first, and I'm going to narrow it</p> <p>6 down to shootings.</p> <p>7 A Yes.</p> <p>8 Q Okay. What type of cases?</p> <p>9 A Well, so I remember specifically when I was on</p> <p>10 homicide -- when I was on the</p> <p>11 tactical-enforcement unit, there was a case of</p> <p>12 an officer that had been accused of sexual</p> <p>13 assault, so we had to go out and arrest him, so</p> <p>14 that type of involvement. There was another</p> <p>15 case of an employee I think that was accused of</p> <p>16 child abuse maybe that we had to go out and</p> <p>17 arrest them, take them into custody, so while</p> <p>18 in those type of specialty units, it was more</p> <p>19 of the arrest and whatnot but not the</p> <p>20 investigation itself. While in the bureau,</p> <p>21 I've dealt with a couple of cases. I don't</p> <p>22 remember -- I've dealt with an in-custody case</p> <p>23 that wasn't a result of a shooting that I had</p> <p>24 direct involvement in, but the rest of my -- it</p> <p>25 seems to me they were mostly shootings.</p>

<p>Page 12</p> <p>1 Q Okay. And could you please explain the</p> <p>2 police-involved shooting cases that you've been</p> <p>3 involved with?</p> <p>4 A So I forget when it became policy to have</p> <p>5 outside jurisdictions do the investigation when</p> <p>6 there is an officer-involved shooting that</p> <p>7 results in a fatality. There have been -- so I</p> <p>8 believe there was a couple where there were</p> <p>9 suspects shot but not fatally that I had a part</p> <p>10 in and then -- but the majority of them at some</p> <p>11 point while I was on homicide, it went to that</p> <p>12 outside jurisdiction, so we were responding,</p> <p>13 like say the Wauwatosa case here. I believe</p> <p>14 there was a West Allis case. Oh, and I've</p> <p>15 also, I'm sorry, I've dealt with the in-custody</p> <p>16 deaths at the sheriff's department, at the</p> <p>17 criminal-justice facility where I've had to</p> <p>18 lead in those investigations, so are you</p> <p>19 looking for specifics, or --</p> <p>20 Q No, just your general experience, that's all.</p> <p>21 There is no wrong answer.</p> <p>22 A All right.</p> <p>23 Q And so have you been involved in corrections</p> <p>24 cases, you said?</p> <p>25 A So if you'll remember the case -- I forget how</p>	<p>Page 13</p> <p>1 long ago now, but there was the subject in</p> <p>2 custody, and he was dehydrated. They withheld</p> <p>3 water from him, and I forget his name, but I</p> <p>4 had that scene investigation, and then I</p> <p>5 testified in several trials for the various</p> <p>6 people that were held accountable for it by the</p> <p>7 district attorney's office.</p> <p>8 Q Okay. And how many officer-involved homicide</p> <p>9 investigations have you been involved with?</p> <p>10 A I believe five or six, but I can't give you --</p> <p>11 it seems like that seems to be the right</p> <p>12 number. I just can't give you specifics.</p> <p>13 Q Okay. And just looking at my notes, it looks</p> <p>14 like it possibly was 2014 when there were</p> <p>15 outside agencies that were supposed to</p> <p>16 investigate police-involved shootings; does</p> <p>17 that sound correct?</p> <p>18 A Is that when -- are you saying when we started</p> <p>19 this policy?</p> <p>20 Q Yes.</p> <p>21 A That's probably correct. I actually have no</p> <p>22 idea. If that's what it seems to be, I don't</p> <p>23 know.</p> <p>24 Q Okay. And, I'm sorry, I just -- I was sort of</p> <p>25 looking for that document. How many</p>
<p>Page 14</p> <p>1 officer-involved fatal police shootings have</p> <p>2 you been involved in with the investigation?</p> <p>3 A The initial investigation or follow-up</p> <p>4 associated with it after?</p> <p>5 Q Well, let's just say the initial investigation</p> <p>6 first.</p> <p>7 A I think two or three or maybe four. But,</p> <p>8 again, I can't remember specifics of them;</p> <p>9 so --</p> <p>10 Q Okay. Well, you were in charge of the</p> <p>11 investigation to the Jay Anderson shooting,</p> <p>12 correct?</p> <p>13 A In a way. I mean, I -- so I was the one</p> <p>14 assigned to handle the interview of Officer</p> <p>15 Mensah, and then -- I guess, because in the end</p> <p>16 I ended up compiling all the information and</p> <p>17 then presenting to the district attorney's</p> <p>18 office with the lieutenant.</p> <p>19 Q Okay. And was the Jay Anderson shooting the</p> <p>20 first police-involved investigation for a fatal</p> <p>21 shooting that you were in charge of?</p> <p>22 A Yes.</p> <p>23 Q And since that time, you've been involved with</p> <p>24 maybe three or four after?</p> <p>25 A Maybe not that many after. I just don't</p>	<p>Page 15</p> <p>1 remember. I mean, I've been to a number of</p> <p>2 them, I just can't remember when or how or that</p> <p>3 type of stuff.</p> <p>4 Q Okay. And with regards to you being like sort</p> <p>5 of working with officer-involved -- we will</p> <p>6 just focus on fatal shooting cases and shooting</p> <p>7 cases --</p> <p>8 A Uh-huh.</p> <p>9 Q -- when there is an outside agency that's</p> <p>10 supposed to investigate, could you please</p> <p>11 explain what that means, what you are talking</p> <p>12 about?</p> <p>13 A So when another outside agency -- now this is</p> <p>14 just from my perspective. I'm not a</p> <p>15 supervisor. This is really their level, but</p> <p>16 what it basically means is we come in, you</p> <p>17 know, we make sure that we have the scene</p> <p>18 correctly identified as far as the parameters</p> <p>19 of it. We process the scene. We interview any</p> <p>20 witnesses, including officer witnesses,</p> <p>21 including the officer that was involved in the</p> <p>22 shooting. We collect whatever evidence is</p> <p>23 available, including, you know, body cams or</p> <p>24 squad cams, and then we handle the</p> <p>25 officer-involved interview and then</p>



<p>1 eventually -- you know, all that evidence is  2 going to be collected, is going to be processed  3 either at the crime lab or at our place, and  4 then it's all put together and eventually  5 presented to the district attorney's office.  6 Q Okay. And with regards to that, there is also  7 a MAIT unit, correct, within the Milwaukee  8 Police Department; have you heard of that unit?  9 A Do you know what it stands for?  10 Q It's M-A-I-T unit. I believe it's a collection  11 of police departments that work together.  12 A Is it "rapid-response unit," something like  13 that?  14 Q Yeah.  15 A So, yeah, so whenever they decided on this  16 policy, my understanding is that a number of  17 agencies got together to -- in order to  18 support, so like when -- so there is -- from  19 what I remember, there is a schedule of what  20 department or unit is available for a time  21 period, so like -- so MPD is so big, when we  22 respond, it's all just MPD. From my  23 understanding, if I remember correctly, when,  24 say, there is a week that another unit other  25 than ours responds, it's usually made up of a</p>	<p>Page 16</p> <p>1 team of detectives and whatnot from various  2 suburbs because they don't have the same  3 manpower we have, if I've explained that that  4 you can understand. So we have our own unit  5 because we are large. The rest of the  6 jurisdictions kind of combine from various  7 units to make the unit that responds to  8 whatever incident it would be.  9 Q Okay. So just to be clear, when Milwaukee --  10 well, who decides who is in charge of a  11 police-involved-shooting investigation or what  12 entity is in charge of that?  13 A That's all above me; so -- basically, I think,  14 the departments have gotten together to decide  15 on this policy, and then someone within -- at  16 the supervisor level, they work out the  17 schedule, and then I would imagine your own  18 department is the person who selects what  19 individual is going to be a part of that team.  20 I think it's called -- is it a "shoot team"? I  21 don't remember; so --  22 Q It's all Greek to me; so --  23 A Well, and honestly, this is all above me. I'm  24 just giving you my perception of someone who is  25 not a supervisor.</p> <p>Page 17</p>
<p>1 Q I see, okay. And then you said with the MAIT  2 team, it's more like a lot of the smaller  3 agencies are part of that, and then Milwaukee  4 is also part of that rapid-response team,  5 correct?  6 A Yes, but when it's -- when we are scheduled,  7 like when we are on call for it, because of our  8 size, we don't need any other outside  9 jurisdictions.  10 Q Okay.  11 A I think for a while the Department of Justice  12 had their own unit that -- I think before it  13 became more of a community type of response,  14 the Department of Justice was -- would come in,  15 and I remember being at some of those scenes  16 where they would arrive, and they were drawing  17 officers from -- or their members from all over  18 the place and then bringing them in.  19 Q Okay.  20 A But it evolved into what it is today, and I  21 don't know if the Department of Justice still  22 responds or not.  23 Q Okay. So in 2016 or at least 2014 when we  24 think that -- let's just say 2016 because we  25 are dealing with Jay Anderson, so on June 23rd</p>	<p>Page 18</p> <p>1 of 2016, it also was sort of the policy that  2 when Milwaukee was assigned to investigate a  3 police-involved shooting for Jay Anderson that  4 Milwaukee would handle that investigation  5 because of its size and you guys had the  6 resources to do it just yourselves, correct?  7 A Well, so I don't know if it was set up that it  8 was Milwaukee's time to respond, like if we  9 were part of the schedule, because, again,  10 that's all above me. All I know is that myself  11 and three other detectives were notified by our  12 boss, there has been an officer-involved  13 shooting in Wauwatosa, and we are responding,  14 so as far as scheduling or who is supposed to  15 go, that's, again, that's all above me, and I  16 don't know that answer.  17 Q Okay. But you would agree that for the Jay  18 Anderson, Jr. shooting that Milwaukee Police  19 Department was in charge of this homicide  20 investigation, correct?  21 A Correct.  22 Q Okay. And it is called a "homicide  23 investigation," right?  24 A Yes.  25 Q Okay. And why is that?</p> <p>Page 19</p>

<p>1 <b>A</b> Because someone was shot and killed.</p> <p>2 <b>Q</b> Okay. And if there is a police-involved</p> <p>3 homicide, is that treated -- is that homicide</p> <p>4 investigation treated differently than if it</p> <p>5 was only civilians involved in a shooting that</p> <p>6 caused somebody's death?</p> <p>7 <b>A</b> Well, it's treated differently in that law</p> <p>8 enforcement, like an outside jurisdiction, does</p> <p>9 the investigation. If it was just a regular</p> <p>10 civilian, we would obviously handle it on our</p> <p>11 own, but I think we always try to get as</p> <p>12 much -- like we always look for all the</p> <p>13 evidence. We always do the same amount of job</p> <p>14 that we would do for any homicide</p> <p>15 investigation.</p> <p>16 <b>Q</b> Okay. I'm sorry, I asked a bad question.</p> <p>17 So I guess my point is, with a -- the</p> <p>18 Jay Anderson, Jr. shooting homicide</p> <p>19 investigation, you would investigate that same</p> <p>20 as you would investigate if it was a civilian</p> <p>21 homicide investigation, correct?</p> <p>22 <b>A</b> Correct.</p> <p>23 <b>Q</b> And with regards to homicide investigations,</p> <p>24 you know, what are some of the things that you</p> <p>25 do in a homicide investigation?</p>	<p>Page 20</p> <p>1 <b>A</b> Me specifically or just us as a unit?</p> <p>2 <b>Q</b> Well, we will start with you and then you guys</p> <p>3 as a unit.</p> <p>4 <b>A</b> So usually when we respond to a homicide</p> <p>5 investigation, there is always someone there,</p> <p>6 like if you want to use the Jay Anderson, you</p> <p>7 know, there is a supervisor there from their</p> <p>8 jurisdiction, so he, prior to our arrival, is</p> <p>9 going to collect what information he has, and</p> <p>10 then we do a briefing. So there were four of</p> <p>11 us that responded, and usually for most of our</p> <p>12 cases, you have a set number of four or six</p> <p>13 detectives that respond, so once you get there,</p> <p>14 you are provided a brief statement to what they</p> <p>15 know at that time. The supervisor will then</p> <p>16 assign you a task, and then as the</p> <p>17 investigation continues, you may get another</p> <p>18 task or maybe do something differently.</p> <p>19 For the last number of years, I kind of</p> <p>20 concentrated more on doing scene</p> <p>21 investigations, because I was the senior guy</p> <p>22 there, and I really enjoy the scenes, and so</p> <p>23 for me, I would do a scene investigation, which</p> <p>24 just really encompasses making sure you have</p> <p>25 the right area. You identify where the scene</p>
<p>Page 22</p> <p>1 was. You identify the items of evidentiary</p> <p>2 value. You are going to photograph them in</p> <p>3 their position. You are going to measure them</p> <p>4 out. You are going to collect them. And then</p> <p>5 you are going to have detectives assigned to</p> <p>6 witness interviews, be it if it's a regular</p> <p>7 civilian-type shooting, the civilians -- if you</p> <p>8 have a suspect in custody, how am I going to</p> <p>9 deal with that person? You have a forensic</p> <p>10 investigator that comes, and you direct that</p> <p>11 person to whatever photos or videos you may</p> <p>12 need. And then you are always updating -- so</p> <p>13 if you are doing witness interviews, you are</p> <p>14 always updating your supervisor on the scene</p> <p>15 that came with you, and then he kind of</p> <p>16 collects all the statements to see, well, this</p> <p>17 one isn't consistent with the other ones; let's</p> <p>18 re-interview him because he's not being</p> <p>19 truthful or something like that or we are not</p> <p>20 getting a clear enough statement. And we try</p> <p>21 and not leave the scene until we know we have,</p> <p>22 as far as witness interviews, everything</p> <p>23 consistent, and then you pack up the scene and</p> <p>24 you leave.</p> <p>25 But, you know -- so if it's a Milwaukee</p>	<p>Page 23</p> <p>1 shooting, your forensic investigator is also</p> <p>2 going to download body cam -- actually, either</p> <p>3 that or the jurisdiction -- or the lieutenant</p> <p>4 for that area is going to do it. Somehow you</p> <p>5 get the body cam. If there is squad cam, you</p> <p>6 get squad cam. You check the surrounding area</p> <p>7 to see if there is a Ring video or surveillance</p> <p>8 video, a doorbell Ring, they are really good</p> <p>9 for video, and so you try to do as complete</p> <p>10 collection of evidence that you possibly can,</p> <p>11 and then I'll say like for shootings, both</p> <p>12 homicides and nonfatal, you try to make sure --</p> <p>13 like say if you have a weapon recovered, you</p> <p>14 try and make sure that you account for the</p> <p>15 amount of missing -- or the amount of casings</p> <p>16 or the amount of cartridges that are missing in</p> <p>17 a handgun to make sure you've collected all the</p> <p>18 casings.</p> <p>19 <b>Q</b> Okay. And then with such investigations, if</p> <p>20 there is witnesses to the homicide, do you try</p> <p>21 to separate the witnesses, or do you keep them</p> <p>22 together so like they can corroborate each</p> <p>23 other's stories; how does that work with</p> <p>24 witnesses to homicides?</p> <p>25 <b>A</b> We always separate them. Like hopefully by the</p>

<p>1 time you've gotten on scene, they have been  2 separated. If not, definitely when we are on  3 scene, we separate them.  4 Q Why?  5 A Well, you don't want them talking and comparing  6 stories and trying to, you know, get it all  7 into one-story. And, honestly, you can have  8 people -- they will give you different versions  9 of what they say saw, but you have to remember  10 that no two people are ever going to see the  11 same thing the same. You know, different  12 perspectives, different viewpoints, but you  13 definitely don't want them comparing because  14 then again when you start talking to that  15 person, that person may remember what the other  16 person said, you know, and -- so you want these  17 individual narratives as much as you can.  18 Q Okay. And is that something that you learn in  19 the academy in terms of how to treat  20 investigations that you separate witnesses, or  21 is that just something you do, or is that  22 common practice?  23 A So the academy was a long time ago; I can't  24 remember that. I think for sure you learn it  25 on scene, especially when you have senior</p>	<p>Page 24</p> <p>1 either officers or detectives come on scene,  2 and they are like, "Why are they together?  3 Separate them." I mean, officers make  4 mistakes. You know, sometimes scenes are so  5 chaotic, you know, that you just make mistakes,  6 but, for the most part, when we are on scene,  7 we definitely do our best to have people  8 separated.  9 Q Okay. And have you ever seen two witnesses  10 that were together that were sort of trying to  11 corroborate their stories?  12 A Oh, absolutely.  13 Q Do you have an example, like just one example?  14 A I can't give you the specific, but I know that  15 we've had -- we have come -- towards the later  16 stage of my career, there were several  17 occasions where we would get to a scene, and  18 witnesses are just standing together in a group  19 talking, and it's not supposed to be that way,  20 obviously, and so we were like, "Separate  21 them." So it's -- you know, it happens. Like  22 I said, sometimes officers get lax or sometimes  23 it's a chaotic scene and mistakes happen, but,  24 for the most part, the majority of the scenes  25 that I would go to, the officers have done a</p> <p>Page 25</p>
<p>1 good job. And they will put them in their own  2 squads, you know, separate them, put them in  3 their own squads, get them away from each. If  4 it's -- like the worst scenes are bars, because  5 where do you put 30 people or 20 people, but  6 for the scenes that are more controllable where  7 you only have a handful of people or less, for  8 the most part, they do a good job of separating  9 people.  10 Q Okay. And with regards to -- did you get any  11 training as part of your tenure as a law  12 enforcement officer on how to investigate  13 homicides?  14 A So when I was promoted to the rank of  15 detective, we had training at the training  16 academy that was put on by lieutenants. I  17 don't recall if it was four or six weeks, and I  18 don't know how they do it now, but it would be  19 like -- because they needed the manpower, and  20 you'd have a week or two and then come back for  21 a week and then another couple of weeks. I  22 just don't remember if it was four or six  23 weeks, but, you know, the training encompassed  24 witness interviews, suspect interviews,  25 techniques, data -- evidence collection, you</p> <p>Page 26</p>	<p>1 know, those types of things. Report writing --  2 I don't remember if there was report writing.  3 At some point you got report writing; so --  4 Q So it sounds like you continually have to --  5 you did take refresher courses on homicide  6 investigations throughout your time as a police  7 officer; is that fair?  8 A I don't recall doing a whole lot of extra  9 training. I was fortunate when I got to the  10 unit our day shift had detectives that had been  11 there for 15, 20 years, and they were just a  12 wealth of experience, so a lot of what I  13 learned were from -- what I learned was from  14 senior detectives, like scenes. I never  15 actually went to any -- that I can recall,  16 anything outside the department on-scene  17 training, but some of those guys were just  18 amazing, and so I learned from them, which is  19 why I think I like the scene so much, but, you  20 know, in your witness or your suspect  21 interviews, when you are newer, you are always  22 placed with a senior -- we always do suspect  23 interviews as a two-person interview, and one  24 of them was always senior, and so you'd learn  25 the techniques through him and whatnot. I just</p> <p>Page 27</p>

<p>1 don't recall going off and doing a whole lot of 2 extra training. 3 Q Okay. And while you were a police officer, 4 have you ever been recorded by citizens? 5 A I have no idea. Do you mean like without my 6 knowledge? 7 Q No, with -- have the people -- let me ask a 8 better question. 9 People often use their -- well, have 10 you ever been recorded with your knowledge on 11 someone's phone while you were interacting with 12 them as a police officer? 13 A So the person I'm speaking to directly, that 14 they were recording me? 15 Q Yes. 16 A So not that I'm aware of. 17 Q Okay. 18 A I'm sure that I've been on scenes where there 19 had been crowds or people and they are 20 recording what's going on, but I'm not aware of 21 anyone -- or I don't recall anyone recording me 22 that I became aware of, no. 23 Q Okay. Would you say that people do record on 24 their phones traffic stops with police 25 officers?</p>	<p>Page 28</p> <p>1 A Yeah, yes, I would. 2 Q Okay. Would you say that -- and would you say 3 that you've seen recordings of police officers 4 while they are interacting with people on their 5 phones? 6 A Yes. 7 Q Okay. And a citizen recording a police officer 8 during a traffic stop, that's not illegal, 9 correct? 10 A Not that I'm aware of, no. 11 Q And a person recording a police officer while 12 they are interacting with them, that's not 13 illegal, correct? 14 A No, I don't believe so. 15 Q And in the state of Wisconsin, in 2016, it was 16 legal to have a gun and still is, correct? 17 A Yeah, as long as you weren't a felon. 18 Q Right. And seeing someone with a gun is not -- 19 you cannot stop someone simply for having a 20 gun, correct? 21 A No, you can't. I don't agree with it, but, no. 22 Q Okay. So having a gun on the passenger seat of 23 a car is not illegal in the state of Wisconsin? 24 A So -- 25 Q Unless you are a felon, sorry.</p>
<p>Page 30</p> <p>1 A That as well, but I believe the CCW law back 2 then, if it's not in view, you can't do that, 3 but I can't remember. I know there was a lot 4 of discussion on like -- because it -- 5 obviously if you've got a gun on you and you 6 are in a car, you are not going to put it on 7 your dashboard, but I -- I don't -- I don't 8 remember the law specifically at this point. 9 Q Okay. Would it surprise you to know that in 10 2016 a person could legally have a gun sitting 11 on their passenger seat in plain view, and that 12 was legal in Wisconsin? 13 A No, it wouldn't. 14 Q Okay. And -- 15 A I'm not trying to be argumentative at all. 16 Q I get it. I get it. Listen, you are doing 17 exactly what you are supposed to as being 18 accurate. This is your sworn testimony. 19 A Okay. 20 Q So a person, you know, having a gun in and of 21 itself is not a death sentence, correct? 22 A No, it's not. 23 Q Okay. Now, with regards to the investigation 24 to Jay Anderson, Jr.'s shooting -- well, let me 25 back up one step.</p>	<p>Page 31</p> <p>1 What did you do to prepare for today's 2 deposition? 3 A So I reached out to the homicide unit for a 4 copy of the reports, and they went through open 5 records, and then open records sent me a copy 6 of my reports. 7 Q Okay. Is that -- sorry. 8 A No, you were speaking. Go ahead. 9 Q Is that the 172-page report that you are 10 referring to? 11 A I don't believe it's 172. Hold on one second. 12 It's 80 pages. 13 Q Okay. So -- okay, so I have a 172-page 14 Milwaukee Police Department report that's 15 obviously not what you are referring to with 16 your report. Is it mostly your police reports 17 that included in what you reviewed? 18 A These are all just narratives, supplement 19 reports, so if you have something that has 20 documents or diagrams and stuff like that, or I 21 don't know what it would be, or you might have 22 inventory reports, stuff like that. I don't 23 have any of that. I just have supplement 24 reports. 25 Q Okay. So what you reviewed is just straight</p>

<p>Page 32</p> <p>1 police reports as it relates to the Jay 2 Anderson, Jr. shooting?</p> <p>3 <b>A Yes, but I've only really been looking at my</b> 4 <b>reports because I didn't want to have an</b> 5 <b>impression what other people had written and</b> 6 <b>get confused, like, did I write that or did</b> 7 <b>somebody else? I just did my best to focus on</b> 8 <b>my own reports.</b></p> <p>9 <b>Q Okay, that makes sense, okay.</b></p> <p>10 And you did not witness the Jay 11 Anderson, Jr. shooting, correct?</p> <p>12 <b>A No, I did not.</b></p> <p>13 <b>Q Do you recall when you arrived to the scene?</b></p> <p>14 <b>A I don't. So we -- we work out of downtown, so</b> 15 <b>7th and State. We were notified by my boss at</b> 16 <b>4:05 a.m., so I'm guessing it probably took 20</b> 17 <b>minutes or a little bit more -- so there is a</b> 18 <b>computer-aided dispatch, a CAD, which I imagine</b> 19 <b>you are familiar with. I would have put myself</b> 20 <b>out when I got there, and so you would have the</b> 21 <b>specific time, but I'm guessing anywhere from</b> 22 <b>20 to 30 minutes because we would have had to</b> 23 <b>gather our things, go downstairs, get our</b> 24 <b>squads, which sometimes is hectic, and then</b> 25 <b>make our way out there, and because it's not an</b></p>	<p>Page 33</p> <p>1 <b>active shooter, you are not out there -- lights</b> 2 <b>and siren getting there; you are traveling at</b> 3 <b>a, you know, a legal rate of speed; so --</b></p> <p>4 <b>Q Okay. So you believe about 4:05 a.m. is when</b> 5 <b>you arrived at the scene at Madison Park?</b></p> <p>6 <b>A No. 4:05 is when our boss told us about the</b> 7 <b>incident and said we need to respond.</b></p> <p>8 <b>Q Okay. And when you responded to the scene,</b> 9 <b>what did you see?</b></p> <p>10 <b>A Well, obviously I saw the -- Jay Anderson's</b> 11 <b>car. I believe there were three squads facing</b> 12 <b>Anderson's car about two or three car lengths</b> 13 <b>in front of it to the west. The cars were in</b> 14 <b>the middle of the Madison parking lot, and I'm</b> 15 <b>trying to remember if it was still dark at that</b> 16 <b>time in the morning. It's the middle of</b> 17 <b>summer; I know it gets dark earlier -- or gets</b> 18 <b>lighter earlier, and then there were a lot of</b> 19 <b>other squads there in the general vicinity but</b> 20 <b>not within the crime scene itself.</b></p> <p>21 <b>Q Okay.</b></p> <p>22 <b>A So I believe there was quite a bit of response</b> 23 <b>from both Wauwatosa -- I don't recall if any</b> 24 <b>other outside jurisdictions were there, but</b> 25 <b>there were a number of officers there and</b></p>
<p>Page 34</p> <p>1 <b>squads there.</b></p> <p>2 <b>Q Okay. But Milwaukee was in charge of the</b> 3 <b>investigation for the Jay Anderson, Jr.</b> 4 <b>shooting, right?</b></p> <p>5 <b>A Yes, yes.</b></p> <p>6 <b>Q And so when you arrived there, was Joseph</b> 7 <b>Mensah still on the scene?</b></p> <p>8 <b>A No, he was not. I don't believe he was.</b></p> <p>9 <b>Q Do you recall if Ralph Salyers or Steve was on</b> 10 <b>the scene?</b></p> <p>11 <b>A I can't put a face to the names, so I don't</b> 12 <b>recall.</b></p> <p>13 <b>Q Okay. Do you recall if Stephen Mills was on</b> 14 <b>the scene?</b></p> <p>15 <b>A I don't recall.</b></p> <p>16 <b>Q Prior to this incident, had you met or did you</b> 17 <b>know Joseph Mensah?</b></p> <p>18 <b>A I did not.</b></p> <p>19 <b>Q And please tell us what you did as part of</b> 20 <b>your -- and you were in charge, I believe you</b> 21 <b>said, of this investigation, correct?</b></p> <p>22 <b>A Well, so Lieutenant Joseph McLin was in charge</b> 23 <b>of the investigation as a supervisor, so he</b> 24 <b>assigned tasks to -- four of us were sent out</b> 25 <b>there. Nick Johnson was assigned the scene.</b></p>	<p>Page 35</p> <p>1 <b>Lieutenant McLin assigned me to the interview</b> 2 <b>of Mensah, and then the two other detectives --</b> 3 <b>I think they responded to the scene and then he</b> 4 <b>later sent them -- well, one of them I think</b> 5 <b>was sent to the hospital where Mensah was --</b> 6 <b>or, I'm sorry, where Anderson was, and the</b> 7 <b>other one I believe did some of the officer</b> 8 <b>involved -- or some of the officer interviews,</b> 9 <b>so like I was in charge of putting everything</b> 10 <b>together after all this to get it to the</b> 11 <b>district attorney's office, but I wasn't in</b> 12 <b>charge of anything while I was on scene. That</b> 13 <b>would be all Lieutenant McLin.</b></p> <p>14 <b>Q Okay. So Lieutenant McLin was in charge of</b> 15 <b>this investigation?</b></p> <p>16 <b>A Yes, because he was the on-scene supervisor</b> 17 <b>with our unit.</b></p> <p>18 <b>Q Okay. And what did you do as part of this</b> 19 <b>investigation?</b></p> <p>20 <b>A So for that morning, Lieutenant McLin asked --</b> 21 <b>you know, directed me to go -- do an interview</b> 22 <b>of Officer Mensah, so I located him with</b> 23 <b>Officer Brian Wade, I believe his last name</b> 24 <b>was, and they were sitting in Officer Wade's</b> 25 <b>car. I don't recall specifically where the car</b></p>

<p>1 was. I introduced myself to Officer Mensah.  2 He informed me that the attorney was on the way  3 that represented the officers, Jennifer -- is  4 it Hellmer, maybe, and that he wanted to wait  5 until she arrived on scene before he spoke with  6 me, which I was totally fine with. So I think  7 in between her arrival -- so that and her  8 arrival, I believe I sat in a squad and was  9 able -- someone -- I have this impression -- I  10 just can't confirm it -- but that I reviewed  11 the shooting portion of the video from the  12 camera, from Mensah's squad, I believe, and  13 then the attorney arrived on scene. She  14 informed me that she wanted Officer Mensah to  15 have a sleep cycle, which is his right, so I  16 told her I was okay with that. There were just  17 a couple things I needed to do before he could  18 be released from the scene. So the first thing  19 I did, we had our forensic investigator on  20 scene, Lee Vedbraaten. I think it's  21 V-E-D-B-R-A-A-T-E-N. And so I had Officer  22 Mensah a -- photos taken of him as he appeared  23 that morning, just to show that he was in  24 identifiable police uniform. And then when  25 that was completed, the attorney and Officer</p>	<p>Page 36</p> <p>1 Mensah -- we drove to their police department,  2 Wauwatosa Police Department where I had -- took  3 possession of his firearm and went through his  4 equipment.  5 Q Okay. And was the attorney's name, just for  6 the record, Jennifer Hellmer, H-E-L-L-M-E-R?  7 A Yes.  8 Q Okay. And that was the attorney that was on  9 the scene for Officer Mensah?  10 A That's correct.  11 Q Okay. And so you said that you looked to see  12 if there was any body-cam video; is that  13 accurate?  14 A No. Squad cam.  15 Q Squad cam, okay.  16 A Yeah.  17 Q Was there any body-cam video?  18 A I don't believe so, no. I don't recall ever  19 seeing body-cam video, I don't think, on anyone  20 that day. I'm not even sure if they were even  21 equipped with body cam yet.  22 Q You said you went to review the squad-cam  23 video. Where did you review that at?  24 A In the squad seat. I'm fairly certain that I  25 saw a portion of it while I was sitting there,</p>
<p>1 while I was on scene, and it was enough to see  2 just the first, I think it was 20 or 25  3 seconds, which encompassed the actual shooting.  4 I just -- I believe that's when I saw it there.  5 I'm just not 100 percent sure if I did.  6 Q Okay. And when you arrived at the scene, was  7 Jay Anderson, Jr. still there?  8 A The victim?  9 Q Yes.  10 A No. I don't believe he was on scene. I think  11 he was transported before our arrival. In  12 fact, he must have been because that's why one  13 of our detectives was sent to the hospital.  14 Q Okay. And you went to the scene, you said,  15 Joseph Mensah was not there when you arrived?  16 A I'm sorry. I don't know if I'm getting  17 confused with names. So Officer Mensah was  18 there. He was in Officer Wade's squad. And  19 Jay Anderson wasn't there; he was at the  20 hospital.  21 Q Okay, got it. Sorry, that's my -- so Officer  22 Mensah was there, but he was in Officer Wade's  23 squad, and at some point when you were there  24 Officer Mensah left, and you were still at the  25 scene; is that correct?</p>	<p>Page 39</p> <p>1 A No. We left together along with the attorney.  2 I think I drove the three of us to  3 Wauwatosa PD. Like you never want to take an  4 officer's weapon from him on scene. I think  5 psychologically, it just makes them feel like  6 they did something wrong. So the policy has  7 been to take possession of the weapon at  8 another location such as the police department,  9 and they would then, I imagine, reissue him a  10 separate handgun, so at the Wauwatosa Police  11 Department is where I had a chance to look at  12 his weapon and the rest of his, like he had the  13 magazines he had and whatnot.  14 Q Okay. And you said that you never want to take  15 an officer's weapon at the scene because  16 psychologically it makes him think he did  17 something. What do you mean by that?  18 A I think, like if you take an officer's handgun  19 from him on the scene, it's almost like you are  20 saying, you know, you were wrong in what you  21 did, and so -- and I'm not saying this is the  22 reason why the policy was created, but I've  23 heard that and so what we do is instead of  24 taking someone's weapon on the scene, we take  25 it -- we take it and switch it out with a new</p>



<p>Page 40</p> <p>1 weapon at the police department.</p> <p>2 Q Okay. And do you know what the name of that</p> <p>3 policy is that dictates that you don't take an</p> <p>4 officer's weapon who is involved in a shooting</p> <p>5 at the scene? What policy is that?</p> <p>6 A I'm not sure it's an actual policy, but it's</p> <p>7 how we handle things at Milwaukee Police</p> <p>8 Department. We never take a weapon from the</p> <p>9 officer at the scene.</p> <p>10 Q Okay.</p> <p>11 A Unless of course you are a criminal, like --</p> <p>12 you are an officer that you are in custody for</p> <p>13 doing something, then of course we will take</p> <p>14 your weapon, but for an investigation such as</p> <p>15 this, you just don't -- just don't do it that</p> <p>16 way.</p> <p>17 Q Okay. So Mensah was never in custody with</p> <p>18 regards to this incident?</p> <p>19 A No, he was not.</p> <p>20 Q Okay. And how did you secure Mensah's gun?</p> <p>21 A So when we went to the police department, I</p> <p>22 would have, you know, the weapon would have</p> <p>23 been -- he would have provided the weapon, the</p> <p>24 magazine that was in the weapon, and then -- so</p> <p>25 the way we package hand guns is you make it</p>	<p>Page 41</p> <p>1 safe -- so you are wearing gloves of course,</p> <p>2 but you make it safe, and you place it in a</p> <p>3 container; it may be a paper bag or it may be a</p> <p>4 box, depending on what you have. And then the</p> <p>5 magazine would be placed in another container</p> <p>6 like a bag, a paper bag, and then the unfired</p> <p>7 cartridges inside the magazine would be pulled</p> <p>8 out of that and placed in a third bag; so --</p> <p>9 I'm not sure if I did all of that while I was</p> <p>10 at Wauwatosa, but I certainly -- I believe I</p> <p>11 would have separated the two. In fact, if I</p> <p>12 recall correctly, I think on my inventory, I</p> <p>13 had a handgun, a magazine, and then I think I</p> <p>14 picked up their CAD while I was in their</p> <p>15 department.</p> <p>16 Q Okay. And what policy is it that an officer</p> <p>17 immediately gets another gun when they arrive</p> <p>18 at the police station after an officer-involved</p> <p>19 shooting?</p> <p>20 A So I'm assuming he was issued another handgun.</p> <p>21 I don't know what Wauwatosa's policy is. The</p> <p>22 policy stuff would be above me, but I know that</p> <p>23 in our own officer-involved shootings, an</p> <p>24 officer, if you are not in custody, is issued a</p> <p>25 handgun, I mean, for his own safety, I mean, so</p>
<p>Page 42</p> <p>1 you would be issued a handgun and you would be</p> <p>2 sent home.</p> <p>3 Q Okay. And were you able to ask any questions</p> <p>4 of Officer Mensah on that day?</p> <p>5 A I did not ask any questions.</p> <p>6 Q Okay. And with regards to, you know, you</p> <p>7 explained how you secured the gun, why do you</p> <p>8 go through all those steps?</p> <p>9 A Well, you don't want to contaminate anything,</p> <p>10 so as far as wearing gloves, obviously you</p> <p>11 don't want to transfer either -- transfer my</p> <p>12 DNA on any sort of evidence, so it's not just</p> <p>13 handguns, it would be anything that you</p> <p>14 recover, you know, clothing, anything. When I</p> <p>15 package evidence, you never package a handgun</p> <p>16 with the magazine together. It's not safe, to</p> <p>17 begin with, and you want them separated</p> <p>18 anyways, and you don't want to just take</p> <p>19 everything, throw it into one container because</p> <p>20 it's then all getting cross-contaminated with</p> <p>21 whatever might be on it, and then go to your</p> <p>22 district station or your location that you work</p> <p>23 out of and then separate them, so it's always</p> <p>24 policy, when you collect evidence, to do it</p> <p>25 properly the first time and don't just throw it</p>	<p>Page 43</p> <p>1 in something and do it later. I mean, it's the</p> <p>2 easiest way to identify stuff, and it's the</p> <p>3 easiest way to do it correctly.</p> <p>4 Q Okay. And is collection of evidence, does that</p> <p>5 also include taking photographs of where</p> <p>6 evidence is located?</p> <p>7 A Yes, so when you -- so at the scene itself,</p> <p>8 when you identify evidence or things of</p> <p>9 evidentiary value, you are going to measure --</p> <p>10 you want to put everything in a diagram to show</p> <p>11 the relation to everything, so you measure them</p> <p>12 out, you photo them in their -- so you provide</p> <p>13 markers, and then you photograph them in</p> <p>14 their -- the position before you collect them.</p> <p>15 Q Okay. And when you drove to the station with</p> <p>16 Officer Mensah, did you drive in his vehicle --</p> <p>17 his squad vehicle?</p> <p>18 A No, I believe I would have taken my vehicle.</p> <p>19 Q Okay. And --</p> <p>20 A I'm sorry, I don't mean to interrupt you. I</p> <p>21 don't recall if they drove with me -- I'm</p> <p>22 pretty sure they drove with me. So -- I'm</p> <p>23 fairly certain they drove with me. I never</p> <p>24 would have driven with them. Maybe there is a</p> <p>25 possibility he and the attorney drove, but I</p>

<p>Page 44</p> <p>1 don't think they would have done that either,</p> <p>2 I'm fairly certain we all drove together.</p> <p>3 Q Okay. And when you arrived at the scene, was</p> <p>4 Mensah's car -- are you able to take that off</p> <p>5 the scene, or was he able to take that off --</p> <p>6 or anyone able to take that off the scene</p> <p>7 immediately after the incident, or how does</p> <p>8 that work?</p> <p>9 A No. Until the scene investigator is done</p> <p>10 processing the scene, nothing moves, so it all</p> <p>11 stays there.</p> <p>12 Q Okay. And who was the scene investigator</p> <p>13 processing the scene?</p> <p>14 A Nick Johnson, Nicholas Johnson.</p> <p>15 Q Okay. So until Nicholas Johnson says, you</p> <p>16 know, things in the scene move, they don't go</p> <p>17 anywhere?</p> <p>18 A Right. His job is to -- like I explained with</p> <p>19 everything is to get all that done before you</p> <p>20 release anything.</p> <p>21 Q Okay.</p> <p>22 A That would have included any of the three</p> <p>23 squads that were there, Salyers' squad, Mills'</p> <p>24 squad, or Mensah's squad.</p> <p>25 Q Okay. And as part of the scene investigation,</p>	<p>Page 45</p> <p>1 are you allowed to like -- because I know -- I</p> <p>2 saw photographs of like Mensah's car at the</p> <p>3 scene with the door open. Should -- can you</p> <p>4 close the door? Can you do -- take the key</p> <p>5 out? Are there things you can do to the squad,</p> <p>6 or you just simply do not touch anything?</p> <p>7 A I think it depends on what -- like where -- so</p> <p>8 this actual scene occurred with Anderson's</p> <p>9 vehicle, and then Mensah's like -- you're</p> <p>10 definitely not going to move Mensah's vehicle,</p> <p>11 but say with Mensah leaving the scene, he -- if</p> <p>12 he needed to grab something out of the car, as</p> <p>13 long as he -- it would have been permissible</p> <p>14 because he's not -- the only thing his car was</p> <p>15 was there and the fact that it was recording</p> <p>16 and that the headlamps or the take downs were</p> <p>17 on, but if he needed to pull something out of</p> <p>18 his car, I think it would have been allowed,</p> <p>19 but Wade's car was away from the scene, which</p> <p>20 is where he was. So I don't remember</p> <p>21 specifically, but when we left, if he needed to</p> <p>22 grab his personal gear, that would have been</p> <p>23 allowed.</p> <p>24 Q Okay. And with regards to the squad video, did</p> <p>25 you collect Mensah's squad video that night or</p>
<p>Page 46</p> <p>1 that early morning?</p> <p>2 A I did not. I don't -- so -- I don't remember</p> <p>3 who collected the video. I know some video was</p> <p>4 provided by Wauwatosa for us where they</p> <p>5 downloaded it and put it on flash drives. I</p> <p>6 don't -- I honestly don't know if our</p> <p>7 investigator -- or forensic investigator</p> <p>8 collected Mensah's video. I just wasn't there</p> <p>9 for it, and I don't know how it was done.</p> <p>10 Q Okay. But at some point you received the squad</p> <p>11 video?</p> <p>12 A Yes, that's correct.</p> <p>13 Q Okay. And you received, I believe, the</p> <p>14 radio-dispatch audio, correct?</p> <p>15 A I did.</p> <p>16 Q Okay. How did you get that?</p> <p>17 A I believe the same way. So all that --</p> <p>18 whenever we receive video, audio, everything we</p> <p>19 receive, it goes in our computer system for the</p> <p>20 homicide unit, which is separate, like no one</p> <p>21 other than homicide detectives or supervisors</p> <p>22 can access it, and it's put in a file, so this</p> <p>23 was called, I think, "OIS16" for 2016, and I</p> <p>24 think maybe "Mensah," but regardless -- or</p> <p>25 maybe just "OIS16," but once you went into</p>	<p>Page 47</p> <p>1 that, then you had subfolders, and inside there</p> <p>2 is where I located the video and the CAD and</p> <p>3 the stuff like that that you are referring to,</p> <p>4 so it had been recovered by somebody and then</p> <p>5 downloaded into that. I don't know who did</p> <p>6 that, though.</p> <p>7 Q Okay. And so as far as squad video, you've --</p> <p>8 you've driven a squad car, correct?</p> <p>9 A I have.</p> <p>10 Q Okay. And have you ever recorded, you know, an</p> <p>11 interaction from your squad car?</p> <p>12 A No.</p> <p>13 Q Okay. Do you know how recording works from a</p> <p>14 squad car?</p> <p>15 A So squad cams, body cams, all happened after I</p> <p>16 was promoted, so I have never operated a squad</p> <p>17 or a body cam as part of my equipment.</p> <p>18 Q Okay. Have you had audio recording as part of</p> <p>19 your equipment?</p> <p>20 A Such as?</p> <p>21 Q Well, such as audio -- the ability to turn on</p> <p>22 your squad cam from, you know, something that</p> <p>23 you have on your person while you are</p> <p>24 interacting with somebody.</p> <p>25 A No. Again, I've never had any access -- I've</p>



<p>1 never been in a squad or been equipped with</p> <p>2 anything that records anything. It all</p> <p>3 happened -- it was all instituted after I was</p> <p>4 promoted in 2006.</p> <p>5 Q Okay. But this incident happened in 2016.</p> <p>6 A I'm sorry, what I'm saying -- like body-cam</p> <p>7 equipment became part of officer's uniforms</p> <p>8 equipment at a certain point. I was already</p> <p>9 promoted. Squad cam became part of squad</p> <p>10 equipment at some point after I was promoted to</p> <p>11 detective, and detectives' squads, we don't</p> <p>12 have squad cam. So all a detective squad has</p> <p>13 is a radio and a mic, and then -- they even</p> <p>14 took our side lights away from us, so -- our</p> <p>15 spotlights so that's all it is. We don't have</p> <p>16 any of that, so I don't -- I've never collected</p> <p>17 it. You know, it's always been a forensic</p> <p>18 investigator that's collected it. Apparently</p> <p>19 officers can access it. I just never had to</p> <p>20 deal with it. I don't really know anything</p> <p>21 about it. I'm sorry.</p> <p>22 Q Okay. Wow, I would just assume that detectives</p> <p>23 would have more equipment than a patrol</p> <p>24 officer?</p> <p>25 A Well, if you think about it, we, during the</p>	<p>Page 48</p> <p>1 course of our interviews, we hear very private</p> <p>2 things at times, and -- I don't know if this is</p> <p>3 the reason why. I just think that because our</p> <p>4 interviews with victims and whatnot can be very</p> <p>5 sensitive, I think that's a reason why -- one</p> <p>6 reason why. I don't know for sure. I'm just</p> <p>7 guessing here, but that's the reason why we</p> <p>8 don't record our interviews with victims. It's</p> <p>9 kind of the same thing -- I've had a couple of</p> <p>10 investigations that were -- involved recording</p> <p>11 people, you know, like spy cams and stuff and</p> <p>12 because of the nature of it, like when you have</p> <p>13 this evidence, like district attorneys don't</p> <p>14 even want any possession of it, you know. I</p> <p>15 think there are just certain things they don't</p> <p>16 want the public to have access to, because of</p> <p>17 course anything that's on a squad cam or body</p> <p>18 cam, I think you have public access, you know,</p> <p>19 you can get it through public access or open</p> <p>20 records, and I just -- and, again, this is just</p> <p>21 a guess on my part. I don't know why the</p> <p>22 policies are what they are. It's above me.</p> <p>23 Q Okay. And so did you -- because you don't</p> <p>24 have -- okay, so you said you have a</p> <p>25 microphone. What's that for?</p>
<p>Page 50</p> <p>1 A I have a radio. I'm sorry, so in the squad,</p> <p>2 there is a microphone to say, you know, "put me</p> <p>3 at this location" or "I'm doing this,"</p> <p>4 whatever. The only thing I carry is a radio.</p> <p>5 Q Okay. And that radio goes to dispatch?</p> <p>6 A For Milwaukee's dispatch only.</p> <p>7 Q Okay. And so have you ever questioned, you</p> <p>8 know, someone in their car?</p> <p>9 A In whose car?</p> <p>10 Q In their own car?</p> <p>11 A Their personal vehicle?</p> <p>12 Q Yes.</p> <p>13 A No. All interviews for me have always been</p> <p>14 either inside my squad for the privacy of it,</p> <p>15 or, if that's not possible, a distance away</p> <p>16 from anybody that can hear, but I've never</p> <p>17 spoken to someone in their own personal</p> <p>18 vehicle.</p> <p>19 Q Okay. Have you ever spoken to someone in a</p> <p>20 vehicle?</p> <p>21 A Like my squad car, yes.</p> <p>22 Q So when you've done traffic stops, you were</p> <p>23 inside your squad car when you would conduct</p> <p>24 the traffic stops of other people?</p> <p>25 A I'm sorry, okay. I thought you were talking</p>	<p>Page 51</p> <p>1 about me as a detective interviewing people.</p> <p>2 Q Sorry, no, just period.</p> <p>3 A Okay. Of course I've interviewed -- when I was</p> <p>4 in uniform, I interviewed people at traffic</p> <p>5 stops, yes.</p> <p>6 Q Okay.</p> <p>7 A I spoke to them through their car window as</p> <p>8 they were in the driver's seat or passenger</p> <p>9 seat, whatever.</p> <p>10 Q And a person reaching for their phone is not a</p> <p>11 basis to shoot them, correct?</p> <p>12 A No, it is not.</p> <p>13 Q Okay. And with regards to this investigation,</p> <p>14 so you said that with the squad video, you</p> <p>15 received that on a flash drive at some point,</p> <p>16 right?</p> <p>17 A It was the department received it, and it was</p> <p>18 downloaded into a folder, and I reviewed it</p> <p>19 from the folder, I believe.</p> <p>20 Q Okay. And did you -- do you have a memo book?</p> <p>21 A I had memo books.</p> <p>22 Q What happened to them?</p> <p>23 A They are all shredded, all 25 years.</p> <p>24 Q Oh, wow. And so was it common practice for you</p> <p>25 to write notes of interviews you had with --</p>

<p>Page 52</p> <p>1 involving investigations?</p> <p>2 <b>A</b> So it would depend. Most often I would use my</p> <p>3 notebook, which was like a memo, small,</p> <p>4 whatever. However, if I was doing like an</p> <p>5 interrogation interview or if I was doing</p> <p>6 something that I knew was going to be a much</p> <p>7 longer interview, I would use like a pad of</p> <p>8 paper, like an 8 by 11 pad of paper.</p> <p>9 <b>Q</b> Okay. And do you know when you shredded your</p> <p>10 memo books?</p> <p>11 <b>A</b> The day I retired.</p> <p>12 <b>Q</b> And it was in 2021. What day was that? Sorry.</p> <p>13 <b>A</b> July 31st.</p> <p>14 <b>Q</b> That must have been fun.</p> <p>15 <b>A</b> Yeah, it was. I did keep my first memo book</p> <p>16 and my last memo book just kind of like a</p> <p>17 memoir-type thing, but everything else is gone.</p> <p>18 <b>Q</b> Okay. That makes sense. And so at anytime,</p> <p>19 did anyone ever tell you that with regards to</p> <p>20 this particular case that you are to preserve</p> <p>21 any and all evidence that you have in your</p> <p>22 possession?</p> <p>23 <b>A</b> No. In fact, I thought this was all done until</p> <p>24 the John Doe investigation in January of '22.</p> <p>25 That was -- I thought it was all finished. I</p>	<p>Page 53</p> <p>1 was surprised I was being asked to give another</p> <p>2 statement back then.</p> <p>3 <b>Q</b> Okay. And had you ever turned over any of your</p> <p>4 notes to -- written notes or even typed notes</p> <p>5 to anybody with regards to this investigation?</p> <p>6 <b>A</b> No. Everything I documented was put in a</p> <p>7 report.</p> <p>8 <b>Q</b> Okay. Did you have any sort of independent</p> <p>9 recordings of any witnesses with regards to</p> <p>10 this investigation that you kept?</p> <p>11 <b>A</b> No, absolutely not.</p> <p>12 <b>Q</b> Okay. Did you have any recordings of any</p> <p>13 interviews with regards to this investigation,</p> <p>14 period?</p> <p>15 <b>A</b> No, I didn't record anybody at any point.</p> <p>16 <b>Q</b> Okay. And so what you received -- we are just</p> <p>17 going to have to go over each sort of parts of</p> <p>18 your report, if you don't mind.</p> <p>19 <b>A</b> Okay. Can I follow along with mine as well?</p> <p>20 <b>Q</b> Yes. That's exactly what I would love for you</p> <p>21 to do. Thank you.</p> <p>22 <b>A</b> Okay.</p> <p>23 <b>Q</b> So I want to share my screen with you, so --</p> <p>24 well, let me just ask this. Are you okay? Do</p> <p>25 you need a break?</p>
<p>Page 54</p> <p>1 <b>A</b> No, I'm fine, thanks.</p> <p>2 <b>Q</b> Okay. Does anyone else need a break?</p> <p>3 So let me just share my screen with</p> <p>4 you. Sorry, my messy desktop. Do you see my</p> <p>5 screen?</p> <p>6 <b>A</b> Yes, I do.</p> <p>7 <b>Q</b> Okay. So -- let me just -- okay.</p> <p>8 MS. THOBANI: Sorry to interject. Do</p> <p>9 you know if this is something you are going to</p> <p>10 be marking as an exhibit?</p> <p>11 MS. MOTLEY: That's a good point,</p> <p>12 thank you. So what I'm going to do is -- I'm</p> <p>13 going to have to rename this -- but what I'm</p> <p>14 showing you is what I'm going to -- I'm sorry,</p> <p>15 do you know the last exhibit number that we</p> <p>16 were on? I should have asked that in the</p> <p>17 beginning.</p> <p>18 THE COURT REPORTER: I can check</p> <p>19 quickly here. Exhibit 30 was the last one.</p> <p>20 BY MS. MOTLEY:</p> <p>21 <b>Q</b> So what I'm showing you and what's going to be</p> <p>22 marked as plaintiff's Exhibit 31, which is the</p> <p>23 172-page Milwaukee Police Department</p> <p>24 investigation document that I received. If you</p> <p>25 look at this document, okay -- I'm trying to</p>	<p>Page 55</p> <p>1 think of the best way to do this -- so --</p> <p>2 THE WITNESS: Are you looking for my</p> <p>3 first response?</p> <p>4 BY MS. MOTLEY:</p> <p>5 <b>Q</b> Yup. It's page 20, so I'm going to Exhibit 31,</p> <p>6 page 20.</p> <p>7 <b>A</b> Okay.</p> <p>8 <b>Q</b> This is a report written by you regarding your</p> <p>9 interacting with Joseph Mensah's attorney,</p> <p>10 Jennifer Hellmer, on June 23, 2016, at about</p> <p>11 4:05 a.m.; do you see that?</p> <p>12 <b>A</b> I do.</p> <p>13 <b>Q</b> Okay. So is this document in the reports that</p> <p>14 you received as part of the 80-page document</p> <p>15 that you received to prepare for this</p> <p>16 deposition?</p> <p>17 <b>A</b> It is, and I wonder, if you scroll just a</p> <p>18 little bit higher, can you see the top of the</p> <p>19 page? So do you see where it says "supplement</p> <p>20 number" in the right corner, 0009?</p> <p>21 <b>Q</b> Yes.</p> <p>22 <b>A</b> So if you need to refer to a document for me,</p> <p>23 if you give me the supplement number, I can</p> <p>24 find it in mine, if that's necessary.</p> <p>25 <b>Q</b> Okay. Well, you know what I would like to do,</p>

<p>1 because I was going to try to like -- do you</p> <p>2 see how there is -- it's page numbers on the</p> <p>3 bottom left-hand corner, they are not -- they</p> <p>4 are handwritten? There is like page 20 and 21.</p> <p>5 What I kind of wanted to do is to see -- is you</p> <p>6 to kind of like for the record, just say what</p> <p>7 documents you are looking -- you received for</p> <p>8 this -- well, never mind. Okay. So this is a</p> <p>9 document you received, this is two pages,</p> <p>10 right?</p> <p>11 <b>A That's correct.</b></p> <p>12 Q Okay. And then did you receive, on page 34 of</p> <p>13 this document, Supplement No. 0019, this is the</p> <p>14 interview you had with Joseph Mensah; did you</p> <p>15 receive this document?</p> <p>16 <b>A Yes, I did.</b></p> <p>17 Q Okay. And this is a three-page document,</p> <p>18 right?</p> <p>19 <b>A Yes, it is.</b></p> <p>20 Q Okay. And this is when you interviewed Joseph</p> <p>21 Mensah on it looks like June 24, 2016?</p> <p>22 <b>A That's correct.</b></p> <p>23 Q Did you interview him any time after this date?</p> <p>24 <b>A I did not.</b></p> <p>25 Q Did you interview him any time before this</p>	<p>Page 56</p> <p>1 date?</p> <p>2 <b>A I did not.</b></p> <p>3 Q This is the only interview you had with Joseph</p> <p>4 Mensah?</p> <p>5 <b>A That's correct.</b></p> <p>6 Q And this is your complete report of the</p> <p>7 interview, correct?</p> <p>8 <b>A It is.</b></p> <p>9 Q Okay. Thank you. And with regards to this</p> <p>10 interview, what are some of the things that you</p> <p>11 reviewed prior to your interviewing Joseph</p> <p>12 Mensah?</p> <p>13 <b>A So, to be honest, so when I was -- when I did</b></p> <p>14 <b>the John Doe interview in January last year,</b></p> <p>15 <b>one of the questions was did I review the</b></p> <p>16 <b>squad-cam video prior to this? And I</b></p> <p>17 <b>honestly -- I replied no, because I did not</b></p> <p>18 <b>remember it. Going through these reports -- so</b></p> <p>19 <b>it looks like the -- so I said earlier that I</b></p> <p>20 <b>think I sat in the squad and I reviewed the 20</b></p> <p>21 <b>seconds or so that encompassed the shooting.</b></p> <p>22 <b>And that's what I think I remember. I'm not</b></p> <p>23 <b>sure we had this video by the time I spoke with</b></p> <p>24 <b>him, so I just -- I can't give you -- I just --</b></p> <p>25 <b>I don't remember if I reviewed it or not. I</b></p>
<p>Page 58</p> <p>1 <b>had this impression I might have, but I just</b></p> <p>2 <b>don't know 100 percent.</b></p> <p>3 Q Okay. So if we go to page 41 to 44, when you</p> <p>4 reviewed his squad-cam video, you would have</p> <p>5 written a report, correct?</p> <p>6 <b>A I did, and I know that I reviewed the video on</b></p> <p>7 <b>the 29th. I believe it was the 29th.</b></p> <p>8 Q That's correct, so what I'm looking at is page</p> <p>9 41 of -- and Supplement 0022.</p> <p>10 <b>A Okay.</b></p> <p>11 Q And in this report, you talk about reviewing</p> <p>12 the squad-cam video of Joseph Mensah?</p> <p>13 <b>A That's correct.</b></p> <p>14 Q Okay. And that's the -- when you reviewed the</p> <p>15 video, right?</p> <p>16 <b>A That's when I for sure -- so that's when I</b></p> <p>17 <b>transcribed it. Like I said -- and I'm just</b></p> <p>18 <b>trying to be honest here -- I have this</b></p> <p>19 <b>impression I sat in the squad and I reviewed 20</b></p> <p>20 <b>seconds of it, but when I sat down and did a</b></p> <p>21 <b>complete review of the video, it would have</b></p> <p>22 <b>been on the 29th.</b></p> <p>23 Q Okay. So -- okay, so you did a complete review</p> <p>24 of the video on the 29th, got it, okay. And</p> <p>25 that's when you are writing notes of what</p>	<p>Page 59</p> <p>1 specifically you looked at, but at the scene</p> <p>2 you weren't necessarily meticulously writing</p> <p>3 notes of what you looking at, correct?</p> <p>4 <b>A I didn't take any notes when we were on scene</b></p> <p>5 <b>of the video.</b></p> <p>6 Q Why did you look at the video on the scene?</p> <p>7 <b>A I would have done it because there was a period</b></p> <p>8 <b>of time between when I spoke initially with</b></p> <p>9 <b>Officer Mensah and his attorney arrived on</b></p> <p>10 <b>scene, so I went to see -- I would have went to</b></p> <p>11 <b>see if the video was available so I could get</b></p> <p>12 <b>an idea of what had transpired.</b></p> <p>13 Q Okay. And how many times did you review the</p> <p>14 video at the scene?</p> <p>15 <b>A If I did, it would have been just while I was</b></p> <p>16 <b>sitting there the one time or so.</b></p> <p>17 Q Okay.</p> <p>18 <b>A Again -- and I have this impression that it was</b></p> <p>19 <b>enough for me to see what I observed in there</b></p> <p>20 <b>as far as Anderson's actions and then Officer</b></p> <p>21 <b>Mensah and him firing the shots.</b></p> <p>22 Q Okay. And who helped you play the video?</p> <p>23 <b>A It would have been someone on scene, if that's</b></p> <p>24 <b>what happened. I don't recall who it would</b></p> <p>25 <b>have been.</b></p>

<p>Page 60</p> <p>1 Q Did you know how to play it?</p> <p>2 A <b>Absolutely not.</b></p> <p>3 Q Okay. And let's go back to his report. So as</p> <p>4 part of your interview with Joseph Mensah, you</p> <p>5 -- what else did you review to prepare you for</p> <p>6 this interview?</p> <p>7 A <b>Nothing.</b></p> <p>8 Q Okay. And did you review --</p> <p>9 A <b>Actually, if I can interrupt. It's possible</b></p> <p>10 <b>the autopsy -- so I know from reviewing these</b></p> <p>11 <b>reports, which I didn't have before when I had</b></p> <p>12 <b>the John Doe hearing, I believe the autopsy was</b></p> <p>13 <b>done on the same day, the 23rd, and so we brief</b></p> <p>14 <b>every eight hours during a 24-hour day from one</b></p> <p>15 <b>shift to the next, so if the autopsy was done,</b></p> <p>16 <b>that would -- that information would have been</b></p> <p>17 <b>provided at my midnight shift the 23rd and</b></p> <p>18 <b>24th, and so I would have had that information</b></p> <p>19 <b>when I went and spoke with Officer Mensah.</b></p> <p>20 Q So when you were interviewed for the John Doe</p> <p>21 hearing, that was before you retired, correct?</p> <p>22 A <b>No, it was after I retired.</b></p> <p>23 Q Okay. Because the John Doe hearing, it</p> <p>24 began -- at least it was filed October -- I</p> <p>25 believe it was January 2021, and you retired on</p>	<p>Page 61</p> <p>1 July 31st of 2021.</p> <p>2 A <b>Yes, but I was asked to be interviewed January</b></p> <p>3 <b>3rd, I believe, of 2022.</b></p> <p>4 Q Okay.</p> <p>5 A <b>And, again, like I said, I didn't even know</b></p> <p>6 <b>that they had even started a John Doe hearing.</b></p> <p>7 Q Okay. Do you recall who interviewed you?</p> <p>8 A <b>There was a defense attorney -- I forget, and I</b></p> <p>9 <b>believe a Kenosha DA.</b></p> <p>10 Q Okay. And I'm sorry, why did you laugh?</p> <p>11 A <b>I didn't appreciate some of the things he said.</b></p> <p>12 Q Like what?</p> <p>13 A <b>So I imagine the purpose of their</b></p> <p>14 <b>investigation, you should be unbiased, right?</b></p> <p>15 Q Right.</p> <p>16 A <b>And he told me that no one would ever convince</b></p> <p>17 <b>him that Officer Mensah was right in shooting</b></p> <p>18 <b>Anderson, and to me, that's pretty biased. He</b></p> <p>19 <b>should have had an open mind. And then he</b></p> <p>20 <b>asked a number of questions that were, quite</b></p> <p>21 <b>frankly, ridiculous; so --</b></p> <p>22 Q "He" meaning the attorney?</p> <p>23 A <b>Yeah, the defense attorney.</b></p> <p>24 Q Not me?</p> <p>25 A <b>Not you, no, ma'am. I'm talking about him.</b></p>
<p>Page 62</p> <p>1 Q I just want to make it very clear for the</p> <p>2 record.</p> <p>3 A <b>No, I'm talking about January 3rd of '22. I</b></p> <p>4 <b>just thought he could have been more</b></p> <p>5 <b>professional; so --</b></p> <p>6 Q Okay, no problem. I was just asking because I</p> <p>7 brought forth that John Doe hearing on behalf</p> <p>8 of the family, so that's why I wanted to just</p> <p>9 clarify for the record, which obviously you</p> <p>10 know.</p> <p>11 So with regards to this interview</p> <p>12 with Joseph Mensah, did you review Joseph</p> <p>13 Mensah's personnel file?</p> <p>14 A <b>I did not.</b></p> <p>15 Q Did you review any fitness-for-duty records?</p> <p>16 A <b>I did not.</b></p> <p>17 Q Did you review any disciplinary issues or</p> <p>18 complaints he may have had against him?</p> <p>19 A <b>I did not.</b></p> <p>20 Q Did you review the prior internal investigation</p> <p>21 of the Antonio Gonzales shooting?</p> <p>22 A <b>Was that the sword?</b></p> <p>23 Q Yes.</p> <p>24 A <b>Yeah, I did not, no.</b></p> <p>25 Q Okay. Did you review the, I believe it was</p>	<p>Page 63</p> <p>1 the -- whoever it was, I believe it was</p> <p>2 Milwaukee that was in charge of that</p> <p>3 investigation for Antonio Gonzales; is that</p> <p>4 correct?</p> <p>5 A <b>I don't know who investigated it. I didn't</b></p> <p>6 <b>have any part of that.</b></p> <p>7 Q Okay. Did you review any -- anything with</p> <p>8 regards to the Antonio Gonzales investigation</p> <p>9 prior to this interview with Joseph Mensah?</p> <p>10 A <b>I did not, no.</b></p> <p>11 Q Did you review -- and, I'm sorry, I'm going to</p> <p>12 ask a lot of questions just for the record.</p> <p>13 A <b>Okay.</b></p> <p>14 Q Did you review his personnel file -- any of</p> <p>15 Joseph Mensah's personnel file in any of his</p> <p>16 employment?</p> <p>17 A <b>I did not, no.</b></p> <p>18 Q Okay. And the same questions for Ralph</p> <p>19 Salyers, did you review his personnel file?</p> <p>20 A <b>I did not.</b></p> <p>21 Q Any fitness-for-duty records?</p> <p>22 A <b>I did not.</b></p> <p>23 Q For Stephen Mills, did you review his personnel</p> <p>24 file?</p> <p>25 A <b>I did not.</b></p>

<p>Page 64</p> <p>1 Q Any fitness-for-duty records?</p> <p>2 A I did not.</p> <p>3 Q For Salyers and Mills, did you review any</p> <p>4 disciplinary complaints or any sort of</p> <p>5 reprimands or issues that they may have had as</p> <p>6 a Wauwatosa officer?</p> <p>7 A I did not, no.</p> <p>8 Q Okay. Thank you. And so is this the -- this</p> <p>9 report, Supplement 0019, this is the complete</p> <p>10 report of your interview with Joseph Mensah,</p> <p>11 right?</p> <p>12 A It is.</p> <p>13 Q Okay. And there was no follow-up interviews</p> <p>14 with regards to this?</p> <p>15 A No. I did not speak with him after this, no.</p> <p>16 Q Okay. And so you conducted this interview --</p> <p>17 who was in this interview?</p> <p>18 A A couple people. So Joseph McLin, the</p> <p>19 lieutenant. He accompanied me there, which is</p> <p>20 standard for any officer-involved shooting.</p> <p>21 The attorney, Jennifer Hellmer was there,</p> <p>22 Jacqueline Schwartz, who I think is some sort</p> <p>23 of an associate with Hellmer, and then John</p> <p>24 Milotzky, who was a detective at Wauwatosa and</p> <p>25 I believe the union representative, was there</p>	<p>Page 65</p> <p>1 as the union representative, so he was there.</p> <p>2 Q This says that at 9:50 a.m. you traveled to</p> <p>3 Wauwatosa Police Department. Do you recall</p> <p>4 where you had conducted this interview?</p> <p>5 A I believe it was in one of their conference</p> <p>6 rooms. It was a big room with a big table, and</p> <p>7 then there were chairs around the table. And</p> <p>8 9:50 a.m. is when I was there, so I had</p> <p>9 traveled and got there at 9:50, so I'm not</p> <p>10 saying that I left Milwaukee at 9:50 to get</p> <p>11 there, but that I was there at 9:50.</p> <p>12 Q Okay. And can I assume -- or 9:50 is kind of</p> <p>13 an odd time to set a meeting. Did this meeting</p> <p>14 actually start -- was supposed to start at 10</p> <p>15 a.m.?</p> <p>16 A I don't believe so. I can't remember if we</p> <p>17 said we would be there at 9:50 or that's just</p> <p>18 when we got there, I don't know.</p> <p>19 Q Okay. So that's what time you got there, and</p> <p>20 you said there were several people in the room,</p> <p>21 right?</p> <p>22 A Yes.</p> <p>23 Q Okay. Who was in the room?</p> <p>24 A So Jennifer Hellmer, his attorney, her</p> <p>25 associate, Jaclyn Schwartz, and then the union</p>
<p>Page 66</p> <p>1 representative, Detective John Milotzky, and</p> <p>2 then Lieutenant McLin as well.</p> <p>3 Q Okay. And why was Detective John Milotzky</p> <p>4 there?</p> <p>5 A The union representative?</p> <p>6 Q Yes.</p> <p>7 A Jennifer didn't have any opposition to it. I</p> <p>8 assume he was there just to make sure that his</p> <p>9 rights were not being violated in some way.</p> <p>10 Q Was he an attorney?</p> <p>11 A I meant from a police officer's perspective.</p> <p>12 Q Okay. Is it common --</p> <p>13 A Oftentimes --</p> <p>14 Q Go ahead.</p> <p>15 A I'm sorry. So oftentimes, I know in our</p> <p>16 department, if you are being interviewed for</p> <p>17 something like say discipline or something like</p> <p>18 that, you have the right to have your union</p> <p>19 representative there; so -- no one brought it</p> <p>20 up as being odd, and I didn't think anything</p> <p>21 about it.</p> <p>22 Q Okay. And you've conducted homicide</p> <p>23 investigations before, right?</p> <p>24 A Yes, ma'am.</p> <p>25 Q Okay. And do you just let a bunch of people in</p>	<p>Page 67</p> <p>1 the room when a potential suspect is being</p> <p>2 interviewed; is that normal practice?</p> <p>3 A Well, this is a different circumstance than</p> <p>4 that, I mean, he's not in custody. He has the</p> <p>5 right to have his attorney, and if his attorney</p> <p>6 is okay with the union representative to be</p> <p>7 there, I didn't have a problem with it. He</p> <p>8 didn't interject at all during any of the</p> <p>9 interview. It was basically just a</p> <p>10 conversation between Officer Mensah and myself.</p> <p>11 I don't remember if Lieutenant McLin asked a</p> <p>12 question or two, but I don't recall anybody</p> <p>13 else in the room ever saying anything.</p> <p>14 Q Okay. But this still was a homicide</p> <p>15 investigation, right?</p> <p>16 A Yes, but it's an officer-involved one, which is</p> <p>17 a little bit different than your regular</p> <p>18 civilian investigations.</p> <p>19 Q Okay. I'm sorry. I understood earlier -- you</p> <p>20 testified earlier that you treat civilian</p> <p>21 homicide investigations the same as you would</p> <p>22 treat an officer-involved homicide</p> <p>23 investigation; is that not true?</p> <p>24 A No, that is true, but this is different in that</p> <p>25 it's law enforcement, so he has a right to have</p>

<p>Page 68</p> <p>1 an attorney. If I brought someone in to</p> <p>2 interview them that was not in custody for a</p> <p>3 homicide investigation, and they said "I want</p> <p>4 to bring my attorney," I wouldn't stop them</p> <p>5 from doing that.</p> <p>6 Q So both an officer and a civilian, they both</p> <p>7 have a right to an attorney, correct, during a</p> <p>8 homicide investigation?</p> <p>9 A Absolutely.</p> <p>10 Q Okay. So what's different about a homicide</p> <p>11 investigation involving a police officer versus</p> <p>12 a civilian investigation involving a homicide,</p> <p>13 what's different?</p> <p>14 A Well, only in the respect to -- I believe he's</p> <p>15 allowed to have a union representative with</p> <p>16 him. That's all I'm saying.</p> <p>17 Q Okay. Is that a policy?</p> <p>18 A I have -- well, I imagine it is because it has</p> <p>19 to do with the union, but I didn't really give</p> <p>20 it any thought because the attorney was okay</p> <p>21 with him being there. I never thought to ask.</p> <p>22 Q I'm not trying to beat you up, honestly. I</p> <p>23 just -- I'm just -- I've just been a defense</p> <p>24 attorney for, you know, a long time. Isn't it</p> <p>25 better in these investigations to have -- I</p>	<p>Page 69</p> <p>1 mean, you are sort of -- if Mensah confessed</p> <p>2 or -- not confessed, sorry. Anything that</p> <p>3 Mensah says essentially if you are not his</p> <p>4 attorney, then other people in the room are</p> <p>5 witnesses to his statements, right?</p> <p>6 A That's correct.</p> <p>7 Q And that could -- they could possibly testify</p> <p>8 as to what he said if that's not a privileged</p> <p>9 relationship, correct?</p> <p>10 A Correct.</p> <p>11 Q Okay. Did that concern you?</p> <p>12 A To be honest, I never thought about it. Again,</p> <p>13 because the attorney was there, and she did not</p> <p>14 object to John -- or officer -- Detective</p> <p>15 Milotzky being there, I didn't give it another</p> <p>16 thought.</p> <p>17 Q Okay. That's fair. And so did you know</p> <p>18 Detective John Milotzky prior to this</p> <p>19 investigation?</p> <p>20 A I don't believe so. I don't really know many</p> <p>21 detectives in other departments.</p> <p>22 Q Okay. Did you know like Attorney Schwartz or</p> <p>23 Attorney Hellmer prior to this investigation?</p> <p>24 A No. I don't know either one of them.</p> <p>25 Q So I'm assuming at the beginning of this</p>
<p>Page 70</p> <p>1 investigation, there were introductions with</p> <p>2 everybody, right?</p> <p>3 A Just by who they were -- by their name and who</p> <p>4 they were in relationship to it.</p> <p>5 Q Okay. And so this investigation, was this</p> <p>6 conducted at the Wauwatosa Police Department?</p> <p>7 A It was.</p> <p>8 Q Or was it conducted at CVMIC where -- I was</p> <p>9 going to call -- say Sheila -- Attorney Thobani</p> <p>10 -- was this conducted at C-V-M-I-C, CVMIC,</p> <p>11 which is where Attorney Thobani, T-H-O-B-A-N-I,</p> <p>12 where her office is? Do you know if it was</p> <p>13 conducted there in Wauwatosa?</p> <p>14 A Are they connected somehow?</p> <p>15 Q Sorry. Never mind. You put the address down.</p> <p>16 You said you traveled to the Wauwatosa Police</p> <p>17 Department at 1700 North 116th Street?</p> <p>18 A Yes. I remember walking into the department</p> <p>19 and being led to a conference room.</p> <p>20 Q Okay. So as soon as you walk in, they</p> <p>21 immediately lead you to the conference room, so</p> <p>22 what time did this -- did your actual</p> <p>23 questioning of Joseph Mensah begin?</p> <p>24 A Maybe within five minutes or so. I really</p> <p>25 don't know. I mean, there wasn't -- there was</p>	<p>Page 71</p> <p>1 the introductions; we sat down, and then I</p> <p>2 began.</p> <p>3 Q So about 9:55 a.m., is about when this started?</p> <p>4 A Possibly. I don't know.</p> <p>5 Q Okay. And did you record this interview?</p> <p>6 A I did not.</p> <p>7 Q Did you ask for it to be recorded?</p> <p>8 A I did not. We have a policy of not recording</p> <p>9 when we conduct officer interviews.</p> <p>10 Q Okay. Do you know what policy that is?</p> <p>11 A I do not.</p> <p>12 Q All right. Do you have a policy of not</p> <p>13 recording interviews for homicide</p> <p>14 investigations?</p> <p>15 A I've never recorded an interview of a witness</p> <p>16 on scene or a witness that's come down to the</p> <p>17 station to speak with me.</p> <p>18 Q Okay. But do you have a policy to not record a</p> <p>19 suspect for a homicide investigation?</p> <p>20 A If the suspect is in custody, then, yes, we</p> <p>21 would do a recorded interview. He was not</p> <p>22 recorded. He's not in custody, and I don't</p> <p>23 know if it's an actual written policy that we</p> <p>24 don't record officers. It's just a policy as</p> <p>25 long as I've been within the homicide unit that</p>



<p>1 we never record any officers in any form when  2 we do these types of investigations.  3 Q Okay. Why is that?  4 A I don't know. That's something that's above  5 me, and I was always told we just don't do it.  6 Q Do you ever ask to record -- did you ever -- is  7 it a policy to also not ask to record  8 interviews of police officers involved in  9 homicide investigations?  10 A I'm sorry, have I ever asked someone if I can  11 record them?  12 Q No, is it a policy to also not ask to record?  13 A That's a lot more thought than I put into it,  14 when I got to the homicide unit, and we did  15 these type of interviews, I was told we don't  16 record officers, so I've never done it.  17 Q Okay. And so on June 23, 2016, in relation to  18 this homicide investigation, what is the label  19 that you would give Joseph Mensah?  20 A Well, I never -- just like I don't -- I don't  21 label Anderson as a victim. I don't label  22 Mensah as a suspect. He's just the officer  23 involved in a shooting that resulted in the  24 death of somebody. That's how I view it.  25 Q Okay. And is this a policy to view it that</p>	<p>Page 72</p>	<p>1 way?  2 A Well, that's just how I think about it. If you  3 notice in my reports, I don't identify Anderson  4 as a victim, and I don't identify Mensah as a  5 suspect.  6 Q But Anderson didn't kill himself, correct?  7 A No, but his actions led to it.  8 Q Okay. But he is a victim of a shooting, right,  9 it's whether or not there is -- he's a victim  10 of a crime, but he's a victim, right?  11 A He's a victim of a shooting, yes.  12 Q Okay. And so you said Anderson's actions led  13 to him being shot and killed?  14 A In my opinion, yes.  15 Q Okay. And this is the only interview you had  16 with Joseph Mensah?  17 A It is.  18 Q Okay. And so in this interview, let's see, in  19 this interview, Mensah, was he cooperative?  20 A Yes, he was.  21 Q Okay. And did you ever ask him to write out a  22 statement?  23 A I did not.  24 Q Why not?  25 A That's not how we do these interviews.</p>	<p>Page 73</p>
<p>1 Q Okay.  2 A And I understand in some departments -- just in  3 general, like I grew up in the south, and, you  4 know, you write out your complaint, but our  5 department has always been that we take the  6 statements, and we write out the complaint -- I  7 mean, we write out the report. So that's just  8 the practice that we do.  9 Q Okay. And so after this -- you went to Madison  10 Park on June 23rd of 2016, right?  11 A Correct.  12 Q How long were you there?  13 A Oh, Lord. I really don't know. You'd have to  14 refer to the CAD. I mean, I was there until I  15 transported him to Wauwatosa Police Department  16 to get his equipment. It might be in my  17 supplemental report what time I transported him  18 there, and then when I was finished collecting  19 his equipment, I believe I went from there back  20 to the police administration building. I don't  21 believe I went back to the scene, at least I  22 don't recall doing it.  23 Q Okay. After June 23, 2016, did you ever go  24 back to Madison Park to the scene of the  25 incident?</p>	<p>Page 74</p>	<p>1 A I did not, no.  2 Q Okay. Why not?  3 A There wasn't a need to.  4 Q Okay. And how long did your investigation of  5 the Jay Anderson shooting, how long did that  6 take, just period?  7 A Until it was presented to the district  8 attorney's office, is that what you are asking,  9 or are you talking about the initial  10 investigation?  11 Q The initial investigation in 2016.  12 A I guess I'm kind of confused. Are you talking  13 about how long were we on scene that day, or  14 how long after collecting the interviews and  15 doing all that kind of stuff?  16 Q I'm saying for the entire investigation of the  17 Jay Anderson, Jr. shooting, how long did that  18 entire investigation take to complete in 2016?  19 A So it took months, and if you'll let me look at  20 the reports, the final thing I did was wait for  21 the FBI's crime lab to come back with  22 apparently an enhanced version of the video. I  23 believe that was the last thing that we did, so  24 I can see in my sup when I reviewed that, and  25 that would have been the last thing I did</p>	<p>Page 75</p>

<p>1 before I hand it off to the district attorney's office.</p> <p>2</p> <p>3 Q Okay. If you could please do that, I would appreciate it. Thank you.</p> <p>4</p> <p>5 A Okay, so on Wednesday October 19th of 2016, is when I received a packet containing enhanced video and digital charts from the FBI.</p> <p>6</p> <p>7</p> <p>8 Q Okay, so, I'm sorry, October 19th?</p> <p>9 A Yes. And then on October 25th, it looks like is when I reviewed them.</p> <p>10</p> <p>11 Q Okay. So this investigation was completed October 25th of 2016?</p> <p>12</p> <p>13 A If -- for me, as I recall -- actually, do you mind if I check something after this?</p> <p>14</p> <p>15 Q Sure. Go ahead.</p> <p>16 A So I believe that was the last active part of the investigation. There is two reports after that talking about returning items of evidence, but that wouldn't have had any impact on -- so I was waiting for that report from the FBI that they were going to try and enhance the video, and, after that, it was pretty much wrapped up.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Q I'm sorry, what date was that?</p> <p>24 A So I received it October 19th, and then it looks like I reviewed it October 26th.</p> <p>25</p>	<p>Page 76</p> <p>1 Q Okay. And then did you write a report on that?</p> <p>2 A I did, and it's going to be supplement 0038.</p> <p>3 Q Okay. Let's see. Was this typed up, Supplement 0038?</p> <p>4</p> <p>5 A Uh-huh. It's in a narrative form. It looks like you didn't get that far. What's the last sup that you have?</p> <p>6</p> <p>7</p> <p>8 Q The last sup that I have -- and maybe it's in another -- is there a handwritten page number on the bottom?</p> <p>9</p> <p>10</p> <p>11 A No. Mine are -- they basically -- when you go to open records, which you ask for, they then put it in a file, and then -- mine has -- it's all taken straight from the computer system.</p> <p>12</p> <p>13</p> <p>14</p> <p>15 Q Okay, Supplement 35?</p> <p>16 A All right. So you are missing 36, 37, 38, and there is also the 39, and 40.</p> <p>17</p> <p>18 Q 36, 37, 38, 39, and 40?</p> <p>19 A Yes.</p> <p>20 Q Thank you. Let me see. And these were -- 36, 37, 38, 39, and 40, were these reports that you wrote?</p> <p>21</p> <p>22</p> <p>23 A No, ma'am. So 39 is the one I wrote -- I'm sorry, let me go up again. 38 is the one I wrote about the FBI stuff. 37 is from the</p> <p>24</p> <p>25</p>
<p>Page 78</p> <p>1 intelligence center for forensic technology, and it looks like -- oh, it's the testing of the firearm.</p> <p>2</p> <p>3</p> <p>4 Q Okay.</p> <p>5 A And then 36 is by -- also the fusion center, F-U-S-I-O-N. Did you say you had 35?</p> <p>6</p> <p>7 Q Sorry, 36 was the fusion center. What does that consist of?</p> <p>8</p> <p>9 A The fusion center, so it's kind of like -- they have -- so the testing of the guns are out of there. The fusion center, like they have them around the country, and Milwaukee has its own, so this particular one is by Detective Doreen Gordy, and it's about a forensic exam of a phone that was on the inventory, so it had nothing to do with the gun. I'm sorry.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17 Q Okay.</p> <p>18 A So that was 36, right, you were asking?</p> <p>19 Q Yup. 36, 37, 38. And then what's 39?</p> <p>20 A 39. So that was removing an item of evidence from our property-control section and taking it to a lieutenant.</p> <p>21</p> <p>22</p> <p>23 Q Okay. What evidence was that?</p> <p>24 A I don't know what it was, but copies were made of it, so it must have been a document or</p> <p>25</p>	<p>Page 79</p> <p>1 something, and then it was returned.</p> <p>2 Q Thank you.</p> <p>3 A To property control.</p> <p>4 Q Okay, great. And then what's 40?</p> <p>5 A 40 is returning items of evidence back to Wauwatosa. It does not annotate what the descriptions were, just the inventory number and the items themselves, the item numbers.</p> <p>6</p> <p>7</p> <p>8</p> <p>9 Q Okay. And thank you very much. All right.</p> <p>10 And these were all documents that you received from the Milwaukee Police Department through open records?</p> <p>11</p> <p>12</p> <p>13 A Yeah, so I received -- I think I said a total of 80 pages, and, like I said, I really just concentrated on my reports, but they gave me everything.</p> <p>14</p> <p>15</p> <p>16</p> <p>17 Q Okay. Could we get a copy of those 80 pages that you received?</p> <p>18</p> <p>19 A I can. My portions that I reviewed are highlighted, if that makes any difference to you.</p> <p>20</p> <p>21</p> <p>22 Q Oh, that's fine.</p> <p>23 A Okay. Do you want it right now or e-mail when we get done?</p> <p>24</p> <p>25 Q What I'll do is I will send an e-mail to your</p>



<p>1 attorney -- is Jennifer Williams your attorney?  2 <b>A I don't have anyone representing me because I'm</b>  3 <b>not the focus of this.</b>  4 Q So Jennifer Williams reached out to you for  5 this deposition, and she's the attorney for the  6 City of Milwaukee?  7 <b>A That's correct, yes.</b>  8 Q So how would you like for me to reach out to  9 you? Is it okay if I reach out to you  10 directly?  11 <b>A Actually, I think -- I'm not sure if it would</b>  12 <b>be correct for me to forward something that you</b>  13 <b>can get through open records, but if you were</b>  14 <b>to reach out to Jennifer because I had to</b>  15 <b>actually -- I had trouble receiving it, I</b>  16 <b>think, because of Milwaukee's computer system</b>  17 <b>since I'm not recognized anymore, so I actually</b>  18 <b>had to go through Jennifer to have them e-mail</b>  19 <b>it to me, so I'm sure if you reached out to</b>  20 <b>Jennifer and you gave her the report number and</b>  21 <b>saying that you are missing, you know, some of</b>  22 <b>the reports that we spoke about, she would be</b>  23 <b>happy to get them to you.</b>  24 Q Okay. But just to be clear, sorry, so they  25 e-mailed all these documents to you?</p>	<p>Page 80  1 <b>A Yes.</b>  2 Q And it wasn't -- it was -- and they gave you a  3 link, so you could download it literally and  4 just e-mail it to Jennifer who can possibly  5 e-mail it to me, so I wouldn't need the hard  6 copy, basically, is what I'm saying?  7 <b>A Okay, yeah, I can do that.</b>  8 Q Okay. So --  9 MS. THOBANI: Just a pause right  10 there, Kim, so when you do that e-mail, can you  11 forward it to us too so that we have the same  12 supplement numbers?  13 MS. MOTLEY: Yeah, sure.  14 MS. THOBANI: Okay. Thank you.  15 MS. MOTLEY: Sorry, I don't mean to  16 be a pain, Mr. O'Day, but I just want to make  17 sure we get everything -- well, both parties  18 get everything that you have, you know, so  19 that -- even if it's some things that we have  20 already been provided. We just have to be sort  21 of anal about that. I hope you can understand.  22 THE WITNESS: No, that's fine. This  23 is going on pretty long. I don't know if I'll  24 have time to e-mail until after my appointment  25 later on.</p>
<p>Page 82  1 MS. MOTLEY: No, no, no, you don't  2 even have to worry about it right now. It  3 doesn't have to be today, so that's fine.  4 THE WITNESS: Okay.  5 MS. MOTLEY: I'm just letting you  6 know the steps. I'm going to e-mail Jennifer  7 and ask for this and CC Attorney Thobani, but  8 it does not have to be today.  9 THE WITNESS: Okay. So she will  10 reach out to me, and then I'll provide -- okay,  11 absolutely.  12 MS. MOTLEY: Yeah, okay, cool.  13 BY MS. MOTLEY:  14 Q So I'm going to make sure -- we only have about  15 20 minutes left, so don't worry. We are going  16 to get you out of here, I promise.  17 <b>A Thank you.</b>  18 Q So you mentioned earlier, why did you determine  19 that Jay Anderson caused his own death?  20 <b>A So I think, again, if you take an unbiased</b>  21 <b>view -- so honestly, if you take everything out</b>  22 <b>of it and you watch the video only, and we know</b>  23 <b>that there is a handgun in the seat from the</b>  24 <b>recovery of it, and I haven't seen the video in</b>  25 <b>seven years or six-and-a-half years, whatever,</b></p>	<p>Page 83  1 <b>so please, I'm doing the best I can -- you</b>  2 <b>know, the video starts, and, you know, Officer</b>  3 <b>Mensah has the handgun pointed at the driver,</b>  4 <b>and Anderson's arms are like shoulder high, but</b>  5 <b>this right arm is moving, and at some point it</b>  6 <b>dips below the dashboard, comes back up and</b>  7 <b>then there is more of a move towards the driver</b>  8 <b>front seat -- the passenger front seat. So</b>  9 <b>that's a movement towards something on that</b>  10 <b>passenger front seat. I know that there was a</b>  11 <b>gun recovered from that passenger front seat,</b>  12 <b>because looking at all three -- I believe all</b>  13 <b>three squad cams, you see an officer reach into</b>  14 <b>the squad -- into the vehicle, the passenger</b>  15 <b>side, with nothing in his hand, and when he</b>  16 <b>comes out, he has an object in his hand, and</b>  17 <b>when he -- as he disengages around the back of</b>  18 <b>the vehicle and then back towards the squads,</b>  19 <b>you can make out that object is a handgun, so</b>  20 <b>in my mind, that is a handgun that was on that</b>  21 <b>front seat, plus, if I remember correctly, I</b>  22 <b>believe there is DNA from Anderson, and there</b>  23 <b>is also, I think, a little bit of blood</b>  24 <b>spatter. So, in my mind, that gun was there.</b>  25 I know there has been this talk about</p>

<p>Page 84</p> <p>1 there is a cell phone on the seat, but</p> <p>2 rationally, who lunges for a cell phone, you</p> <p>3 know. And I think Officer Mensah's reaction is</p> <p>4 reasonable. He has a right to defend himself.</p> <p>5 And if you believe his statement, which I do,</p> <p>6 and he's identified himself, he's given him</p> <p>7 commands, the guy isn't obeying the commands,</p> <p>8 and his statement is that several times he made</p> <p>9 these motions, and he kept telling him not to</p> <p>10 until finally he did, so, in my opinion, you</p> <p>11 know, his statement corroborates that little</p> <p>12 bit that we see in the video, and, to me, you</p> <p>13 know, Mr. Anderson, his actions led to Officer</p> <p>14 Mensah firing his firearm for his own</p> <p>15 protection.</p> <p>16 Q Did you come to this conclusion when you saw</p> <p>17 the squad video on June 23, 2016?</p> <p>18 A The squad video is definitely a part of it</p> <p>19 because of the actions that I observed in the</p> <p>20 video. Listening to Officer Mensah's version</p> <p>21 of what he saw and what he did, that is where I</p> <p>22 made my full decision that, you know, the story</p> <p>23 is consistent with what we see, and it's</p> <p>24 reasonable, and I -- that's what I base my</p> <p>25 decision on.</p>	<p>Page 85</p> <p>1 Q Okay. So you reviewed the squad video on June</p> <p>2 23rd, and then June 24th is when you got</p> <p>3 Mensah's one and only statement, correct?</p> <p>4 A That's correct.</p> <p>5 Q And that's when you made that determination</p> <p>6 that it was justified?</p> <p>7 A Well, some of the things, I believe, like the</p> <p>8 DNA and the spatter kind of stuff, that came</p> <p>9 later, that to me further substantiated it,</p> <p>10 but, in my mind, his statement and the video</p> <p>11 together is why I have that decision, yes.</p> <p>12 Q Okay. And that was -- and I'm just trying to</p> <p>13 get the timeline together, that's all. So then</p> <p>14 his statement was made June 24th, and that's</p> <p>15 when you came -- and you had already seen the</p> <p>16 video by then, right?</p> <p>17 A Yeah. Like I said, I have this impression that</p> <p>18 I had sat in the car and reviewed it briefly.</p> <p>19 I just don't have 100 percent memory recall of</p> <p>20 it, but, you know, it -- the statement and the</p> <p>21 video, you know, in my mind, like, you know,</p> <p>22 they were consistent, and his action was</p> <p>23 reasonable. Further things as we went down the</p> <p>24 line, like I said, the DNA, the blood spatter,</p> <p>25 you know, that further substantiated, you know,</p>
<p>Page 86</p> <p>1 again, that that gun was there, like how else</p> <p>2 would you have, you know, any of those things</p> <p>3 on that gun if they weren't there, and so,</p> <p>4 again, I was fairly confident after the</p> <p>5 interview that, yup, this is a justified</p> <p>6 shooting, and then as other stuff came in, I</p> <p>7 was 100 percent, you know, this is a justified</p> <p>8 shooting.</p> <p>9 Q You were 100 percent sure it was a justified</p> <p>10 shooting?</p> <p>11 A In my mind, I am 100 percent convinced that</p> <p>12 Officer Mensah acted to defend his life.</p> <p>13 Q Okay. Where was the gun at on the seat?</p> <p>14 A So Officer Mensah stated that when he had</p> <p>15 stepped forward to see what --</p> <p>16 Q No, no, no. Excuse me, sorry. Where</p> <p>17 specifically on the seat was the gun located?</p> <p>18 A On the seat.</p> <p>19 Q Where?</p> <p>20 A Well, Officer Mensah -- are you talking about</p> <p>21 my opinion of where it was, or --</p> <p>22 Q No, no, like where on the seat, there is, you</p> <p>23 know -- let's take it into four quadrants,</p> <p>24 right? There is -- put it -- divide it by</p> <p>25 four, where specifically was the gun on the</p>	<p>Page 87</p> <p>1 seat?</p> <p>2 A I have no idea where it was, other than Officer</p> <p>3 Mensah saying that it was on the passenger</p> <p>4 front seat.</p> <p>5 Q Okay. But he didn't tell you specifically</p> <p>6 where it was, correct, because you would have</p> <p>7 put that in your report, right?</p> <p>8 A Honestly, when he said it was on the seat, I</p> <p>9 envision a car seat where you sit down, and</p> <p>10 there really is just -- the gun is sitting on</p> <p>11 the seat.</p> <p>12 Q Okay. But just for the record, in your report,</p> <p>13 you didn't -- you never asked him specifically</p> <p>14 what area the gun was on the seat?</p> <p>15 A No, it doesn't say specifically that.</p> <p>16 Q Okay. And you never asked him that, correct?</p> <p>17 A No, because, again, my impression was that the</p> <p>18 gun was sitting on the -- I mean, there is only</p> <p>19 one place you can put a gun on a seat which is</p> <p>20 where you sit at; so --</p> <p>21 Q Okay. And you --</p> <p>22 A I'm sorry, I don't mean to interrupt you,</p> <p>23 like -- I'm sure he would have articulated that</p> <p>24 it was on the side of the seat or that it was,</p> <p>25 you know, somewhere else, but when you say the</p>

<p>1 gun was on the seat, my -- what I visualize,</p> <p>2 which I think is reasonable, is that it is</p> <p>3 lying on the seat where you sit down.</p> <p>4 Q Have you ever talked to Officer Mensah after</p> <p>5 this incident?</p> <p>6 A I have not, no.</p> <p>7 Q Okay. Was this the one and only time you had a</p> <p>8 conversation with him?</p> <p>9 A Other than the brief conversation on the 23rd,</p> <p>10 yes.</p> <p>11 Q Okay. So you don't know him, correct?</p> <p>12 A I do not.</p> <p>13 Q Okay. So you don't know what's going on in his</p> <p>14 head when he says "on the seat," whether</p> <p>15 it's -- where it specifically is located,</p> <p>16 right?</p> <p>17 A I guess not, no.</p> <p>18 Q Okay. You mentioned earlier that there is this</p> <p>19 talk of, you know, there being a cell phone on</p> <p>20 the front seat; do you remember that?</p> <p>21 A Yes.</p> <p>22 Q Okay. So I understood that for today's</p> <p>23 deposition, you prepared by looking at the</p> <p>24 80-page document that you received, right?</p> <p>25 A Specifically my reports in the 80 pages, but,</p>	<p>Page 88</p> <p>1 yes.</p> <p>2 Q So what do you mean there is this talk about a</p> <p>3 cell phone on the seat; what are you talking</p> <p>4 about?</p> <p>5 A So at some time during -- there is -- on a</p> <p>6 certain date, we met with the assistant DA who</p> <p>7 was in charge of it -- and his name eludes me</p> <p>8 at the moment. I'm sure you know it -- but</p> <p>9 Joseph McLin -- or Lieutenant McLin, and then</p> <p>10 members of the family, and then I think there</p> <p>11 was an activist or two there, and then one of</p> <p>12 their attorneys, I believe; I'm not sure of the</p> <p>13 attorney. And so we were there to try and talk</p> <p>14 about the case and to answer questions that</p> <p>15 they had, and during, I believe, that</p> <p>16 conversation, someone had said, "Well, he was</p> <p>17 going for a cell phone."</p> <p>18 Q Okay. And that was --</p> <p>19 A And that --</p> <p>20 Q Sorry.</p> <p>21 A That's where I got that from.</p> <p>22 Q And that was a conversation you had with an</p> <p>23 attorney back in 2016, correct?</p> <p>24 A Not the attorney, family -- so there was a lot</p> <p>25 of family there. We were, again, in a</p>
<p>1 conference room at the district attorney's</p> <p>2 office on the 4th floor in Room 405, and we</p> <p>3 were there because the district -- the</p> <p>4 assistant district attorney, and his name</p> <p>5 eludes me, he wanted us all to be there with</p> <p>6 him and to speak with family to try and answer</p> <p>7 questions that they had. And it was during</p> <p>8 there that -- one of the family members had</p> <p>9 said, "Well, he was going for his cell phone,"</p> <p>10 and that's all I know.</p> <p>11 Q Okay. And there was a cell phone on the front</p> <p>12 seat as well, right?</p> <p>13 A I don't know. I don't ever recall looking into</p> <p>14 the vehicle. That would have been -- if there</p> <p>15 was one there, the scene detective would have</p> <p>16 noted that and inventoried it, but I haven't</p> <p>17 looked at the evidence that he recovered, so I</p> <p>18 don't know.</p> <p>19 Q You don't know if there was a cell phone that</p> <p>20 was on the seat, but you know that there was a</p> <p>21 gun on the seat? How come -- why is that? I</p> <p>22 don't understand.</p> <p>23 A Well, the gun is part of Officer Mensah's</p> <p>24 statement and that we recovered it from there.</p> <p>25 None of the video I reviewed showed a cell</p>	<p>Page 90</p> <p>1 phone being recovered. I'm not saying there</p> <p>2 wasn't a cell phone there. I'm just saying I</p> <p>3 personally never viewed it, and I don't recall</p> <p>4 if there was a cell phone there.</p> <p>5 Q Okay. What else was on the front seat?</p> <p>6 A I don't know.</p> <p>7 Q Okay. Was the gun loaded?</p> <p>8 A I don't know.</p> <p>9 Q Okay. What kind of gun was it?</p> <p>10 A I know it was described by Mensah as being a</p> <p>11 black and silver semi automatic with extended</p> <p>12 magazine, but I never handled the gun. I never</p> <p>13 had any part of that part because that was part</p> <p>14 of the scene investigation.</p> <p>15 Q Okay. So you never -- that was, I believe you</p> <p>16 said -- sorry, I wrote his name --</p> <p>17 A Nicholas Johnson.</p> <p>18 Q Nicholas Johnson was in charge of all that</p> <p>19 evidence, the collecting and everything?</p> <p>20 A That's right.</p> <p>21 Q So did you ever view physical evidence that was</p> <p>22 recovered, like the money that was in the car?</p> <p>23 A No, I did not.</p> <p>24 Q Cell phone?</p> <p>25 A No.</p>
<p>Case 2:21-cv-00848-LA</p>	<p>Page 91</p> <p>Filed 08/28/23 Page 27 of 215 Document 91-9</p> <p>Cream City Reporting, LLC</p> <p>414.585.8128</p>

<p>Page 92</p> <p>1 Q The gun?</p> <p>2 A No.</p> <p>3 Q Car keys?</p> <p>4 A No.</p> <p>5 Q Okay. And, let's see, with regards to your</p> <p>6 background, what's your educational background?</p> <p>7 A I was a -- almost -- I think second semester I</p> <p>8 was at Marquette University as far as -- I'm</p> <p>9 sorry, junior year Marquette University, so 100</p> <p>10 and something credits.</p> <p>11 Q Oh, great. And then with regards to this</p> <p>12 investigation, did you ever talk to Ralph</p> <p>13 Salyers?</p> <p>14 A I don't believe so, no.</p> <p>15 Q Okay. Did you ever talk to Stephen Mills?</p> <p>16 A No. I believe those were assigned to Steve --</p> <p>17 Detective Steve Johnson, because I think Matt</p> <p>18 Gadlinski went to the hospital.</p> <p>19 Q So did you ever talk to Joseph Lewandowski?</p> <p>20 A I don't even -- I don't recognize the name, I'm</p> <p>21 sorry.</p> <p>22 Q He's a Wauwatosa officer.</p> <p>23 A No, I don't recognize it.</p> <p>24 Q Did you ever talk to Troy Porter?</p> <p>25 A Detective Troy Porter from Milwaukee PD?</p>	<p>Page 93</p> <p>1 Q Yes.</p> <p>2 A Yes.</p> <p>3 Q Okay. What did you talk to him about?</p> <p>4 A Well, so at the end of everything, we would</p> <p>5 have briefed it, and so -- like so when we</p> <p>6 would get back to the district to our work</p> <p>7 location, at some point, I forget how long, but</p> <p>8 there would have been a briefing probably with</p> <p>9 day shift, and then if we were there long</p> <p>10 enough at 4, it would have been at the other</p> <p>11 one, so statements for that would have been --</p> <p>12 I mean, that would have been part of the</p> <p>13 briefing about what the interviews revealed.</p> <p>14 Q Okay. And do you recall what you talked to</p> <p>15 Troy Porter about?</p> <p>16 A I'm sorry, are you saying like did we talk</p> <p>17 about the case, or are you talking about when</p> <p>18 we were in the briefings, was it discussed?</p> <p>19 Q Did you ever talk to Troy Porter about anything</p> <p>20 that he did specifically in regards to this</p> <p>21 case?</p> <p>22 A Not that I recall, and, again, it's been seven</p> <p>23 years. I can't remember.</p> <p>24 Q Yeah, of course. And were you part of the</p> <p>25 Alvin Cole investigation as well?</p>
<p>Page 94</p> <p>1 A Which one was that one?</p> <p>2 Q Sorry, were you a part of the Alvin Cole</p> <p>3 shooting investigation that occurred on</p> <p>4 February 2nd of 2020?</p> <p>5 A No. I had gone day shift, and I was no longer</p> <p>6 in the homicide unit.</p> <p>7 Q Okay. And since you've been in law</p> <p>8 enforcement, have you ever had any disciplinary</p> <p>9 issues?</p> <p>10 A No.</p> <p>11 Q Have you had any complaints against you?</p> <p>12 A I think I got notified once that I was accused</p> <p>13 of taking -- there was a guy with a hematoma at</p> <p>14 St. Luke's refusing to be cared for, and so I</p> <p>15 was sent there to see if I could convince him</p> <p>16 for some reason. He was a victim of a battery.</p> <p>17 I mean, a huge knock on his head, and I</p> <p>18 inventoried his property, and I guess he made a</p> <p>19 complaint that I took some money out of his</p> <p>20 backpack, and they found it to be baseless, so</p> <p>21 I'm sure there are things that people have made</p> <p>22 complaints that I have never been apprised of</p> <p>23 because it never got anywhere. I've never been</p> <p>24 disciplined for anything.</p> <p>25 Q Okay, thank you.</p>	<p>Page 95</p> <p>1 MS. MOTLEY: And if I could take one</p> <p>2 minute to call my colleague to see if she has</p> <p>3 any other questions that I missed, so just give</p> <p>4 me one minute.</p> <p>5 (Recess taken.)</p> <p>6 MS. MOTLEY: Thank you Mr. O'Day. I</p> <p>7 have nothing further.</p> <p>8 THE WITNESS: All right. Thank you.</p> <p>9 MS. MOTLEY: I don't know if Attorney</p> <p>10 Thobani has anything.</p> <p>11 MS. THOBANI: We are good for the</p> <p>12 record. I don't have any additional questions</p> <p>13 for O'Day.</p> <p>14 (Proceedings concluded at 11:36 a.m.)</p> <p>15 (Exhibit No. 31 was marked.)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>STATE OF WISCONSIN ) COUNTY OF MILWAUKEE ) SS:</p> <p>I, ALICE M. BARBELN, a Registered Professional Reporter and Notary Public in and for the State of Wisconsin, do hereby certify that the above deposition of LUKE O'DAY was recorded by me on July 21, 2023, and reduced to writing under my personal direction.</p> <p>I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.</p> <p>In witness whereof I have hereunder set my hand and affixed my seal of office at Milwaukee, Wisconsin, this 23rd day of July, 2023.</p> <p>_____ Notary Public In and for the State of Wisconsin</p> <p>My Commission Expires: September 1, 2025.</p>	

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COPY

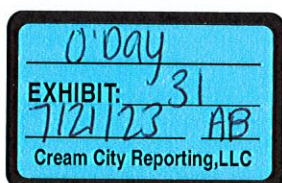
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M File Sections	Count
SECTION 1 - ORIGINAL OFFENSE REPORT/CLEARANCE REPORT	2
SECTION 2 - PINK CONTROL SHEET	
SECTION 3 - INDEX TO HOMICIDE	
SECTION 4A - TIBURON SUPPLEMENT REPORTS Orig-36	69
SECTION 4B - ALL OTHER ORIGINAL REPORTS (LINE-UPS, ETC.)	0
SECTION 5 - ARREST REPORTS/STATEMENTS/INTERVIEWS (QP'S)	0
SECTION 6 - CRIME SCENE DRAWINGS & DIAGRAM	1
SECTION 7 - PHOTOS/VIDEOS	0
SECTION 8 - PHYSICAL EVIDENCE (INVENTORIES)	31
SECTION 9 - CRIME LAB REPORTS	7
SECTION 10 - ANATOMY/CLOTHING REPORTS	17
SECTION 11 - MEDICAL EXAMINER'S REPORTS (AUTOPSY)	
SECTION 12 - COMMUNICATIONS, TTYs, ETC.	2
SECTION 13 - ALL OTHER RELATED REPORTS (PHONE RECORDS)	42
SECTION 14 - FINAL DISPOSITION	0
Total Pages	171

Reports not included in discovery: None

Reports not in draft form: 18

Supplement #10 deleted - Information in Supplement #15



Return signed original to MPD Metropolitan Division

Requested by: Det. O'Day

Disc Description		Count
A	CD - Photos of Autopsy 6/23/16	1
B	CD - Video of Scene 6/23/16	1
C	DVD - Photos @ Hospital 6/23/16	1
D	DVD - Photos of Clothing in Drying Room 6/29/16	1
E	DVD - Photos of Scene 6/23/16	1
F	DVD - Squad Cams - Radio Traffic	1
G	DVD - Video - Processing Suspect's Vehicle @ tow lot 6/28/16	1
H	CD - Photos (6) of 22 Gen4 Austria Glock Gun 6/23/16	1
I	CD - Photos (6) of Ruger Gun 6/23/16	1
J	CD - Photos (11) @ ME's Office 6/23/16	1
K	CD - Photos (47) @ Tow Lot 6/28/16	1
L	CD - Photos (47) @ Tow Lot 6/28/16	1
M	CD - Photos (5) of Gun/Bullets @ PAB 6/28/16	1
N	CD - Photos (3) of Baggie in Forensic Lab 6/23/16	1
O		
P		
Q		
R		
S		
T		
U		
V		
W		
X		
Y		
Z		
AA		
Total Discs (5 DVD 9 CD)		14

Prepared by:



# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

DRAFT

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, NICHOLAS J

Supplement No  
ORIG

Administrative Information											
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No ORIG		Reported Date 06/23/2016		Reported Time 03:07		CAD Call No 161750406	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)									
Location 9800 W GLENDALE AVE						City WAUWATOSA		ZIP Code 53225		Rep Dist 833	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 016252/JOHNSON, NICHOLAS J							
Assignment METROPOLITAN INVESTIGATIONS DIVISION						Entered by 016252					
Assignment METROPOLITAN INVESTIGATIONS DIVISION						Confidential HOMICIDE	Property? None	Approving Officer 006709			
Approval Date 06/25/2016		Approval Time 19:59:55									
# Offenses 1	Offense WI ACT 348			Description Out of Juris Invest			Complaint Type	AC	Use	Bias	Loc
#Pr	MOE	Ad	Weapon/Force	IBRS	No						

Incident Report  
MILWAUKEE POLICE DEPT

161750037  
DRAFT

Supplement No  
ORIG

Modus Operandi

Gang Act?	Gang Name
No	NONE

Supplement

On Thursday, June 23rd, 2016 at approximately 3:03am, at 9800 W. Glendale Ave, Wauwatosa, Wisconsin, a Wauwatosa Police Officer was conducting an after hour park check at Madison Park.

At the park, the officer observed the sole occupant sitting in the front driver seat of a black 2006 Nissan Altima. The officer approached the vehicle from the passenger side and attempted to make contact with the occupant of the vehicle. The officer observed that the subject appeared to be sleeping and upon waking him up, he observed that there was a handgun on the front passenger car seat next to the subject. The officer gave orders for the subject to keep his hands up. The subject then attempted to grab the handgun that was seated next to him. The Officer, fearing for his safety fired his duty handgun at the subject striking him multiple times. The subject was later pronounced deceased as a result of his injuries. OIS 8-2016.

PJD: MENSAH, Joseph (B/M)

Work Address: 1700 N 116th ST, Wauwatosa WI, 53213

VIC: ANDERSON, Jay L (B/M, 07/04/1990)

Conveyed to Froedtert Hospital by Wauwatosa Med Unit #52.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0004

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
GADZALINSKI, MATTHEW M

Administrative Information						
Agency MILWAUKEE POLICE DEPT	Incident No 161750037	Supplement No 0004	Reported Date 06/23/2016	Reported Time 10:40	CAD Call No 161750406	
Status REPORT TO FOLLOW	Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AV			City WAUWATOSA	ZIP Code 53225		
From Date 06/23/2016	From Time 03:07	Officer 017783/GADZALINSKI, MATTHEW M				
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Entered by 017783			
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 06/28/2016		Approval Time 15:29:41				
Modus Operandi						
Gang Act? No	Gang Name NONE	Crime Code(s) HOMICIDE				
Supplement						

This report is submitted by Detective Matthew GADZALINSKI, assigned to the Metropolitan Investigations Division, Homicide Unit. On 06-23-16, I was informed, and instructed by Lt. Joseph MCLIN to respond to the scene of an Officer Involved shooting which involved the Wauwatosa Police Department. We were informed that the incident had taken place inside of Madison Park, 9800 W Glendale Ave. This incident would be labeled OIS 2016-8.

While headed to the scene of the incident, I was redirected by Lt. MCLIN to head to Froedtert Memorial Hospital, 9200 W Wisconsin Ave, to meet the victim who had been transported. That subject would later be identified as Jay L ANDERSON (B/M 07-04-90). As a result of my part of the investigation, taking place at Froedtert Hospital, I conducted interviews of two officers who had responded to the scene of this shooting prior to their escort of the victim to the hospital.

The second officer I interviewed was Police Officer Andrew FLORYANCE (Employee # 6568, Squad #301), who was appointed to the Wauwatosa Police Department on 12-16-12. P.O. LALLIER stated that he works the late shift, with hours consisting of 10:00pm to 6:24am. During this night's shift, he was assigned Squad # 301, and was operating a fully marked squad, a Ford Explorer #P221, that was equipped with in-squad video. He was in full police uniform.

P.O. FLORYANCE stated that he was out on patrol, 1-man, when he first heard a call come over the police radio from a voice he recognized. P.O. FLORYANCE stated he recognized that voice to belong to his co-worker, Police Officer MENSAH. P.O. FLORYANCE stated that when he first heard a broadcast from P.O. MENSAH, he was at near the WALGREENS DRUG STORE, at 7600 W Center St. The first communication he remembered was P.O. MENSAH stating "SUBJECT HAS A GUN," he also had heard that P.O. MENSAH was at Madison Park (9800 W Glendale Ave.) P.O. FLORYANCE stated he started responding towards the park after hearing this communication.

A short time after hearing the subject with gun communication, he hears P.O. MENSAH state over the radio "SHOTS FIRED." At this point he remembers activating his red/blue lights and in-car video. P.O. FLORYANCE stated his travel time, was the time it took him to get from 76th and Center to the park. P.O. FLORYANCE stated upon arrival, he pulled his car into the parking lot at Madison Park.

When he pulled in, he stated that the shooting victim's vehicle was in about the middle of the lot, facing

Report Officer 017783/GADZALINSKI, MATTHEW M	Printed At 07/25/2016 03:50	Page 1 of 2
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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0004

**Supplement**

eastbound, and he stated that P.O. MENSAH's vehicle was facing the subject's car at an angle, off to the right, on the driver's side. As he was pulling in, he observed (3) of his fellow Wauwatosa Police Officers in a "LINE FORMATION" moving around, and clearing the shooting victim's vehicle. He stated the only officer he could remember recognizing in that formation, was Police Officer SALYERS, and that at least one of those officers had a long gun.

P.O. FLORYANCE stated that he pulled his squad past the (2) vehicles, to the north end of the parking lot. P.O. FLORYANCE stated that he pulled his car up at the walking path leading to the lot, to block any possible pedestrian traffic. He exited his squad car, and never drew his service weapon. P.O. FLORYANCE approached the vehicles, and off to the side, he observed P.O. MENSAH standing next to a Police Officer WONG.

P.O. FLORYANCE stated he asked them "ARE YOU OKAY," and he stated that P.O. WONG responded "WE'RE OKAY." He did not have a conversation with P.O. MENSAH. Shortly there after, he stated that he went to assist P.O. SALYERS who was about to render aid to the subject later identified as Jay L ANDERSON (B/M 07-04-90). P.O. FLORYANCE stated that he did not have any latex gloves, so he returned to his vehicle to get some. By the time he returned to where ANDERSON was lying on the ground, Fire Department personnel were already on the scene. P.O. FLORYANCE stated he never touched ANDERSON, and never touched any firearm recovered from ANDERSON's vehicle. P.O. FLORYANCE stated he remembered seeing the rear driver's side window broken out on the vehicle ANDERSON pulled from.

P.O. FLORYANCE stated from there, he provided assistance to the Fire Department by shining down light on them from his flashlight, while they were rendering life saving measures to ANDERSON. P.O. FLORYANCE stated that once the Fire Department loaded ANDERSON into MED Rig 52, he followed the ambulance in his marked police cruiser to Froedtert Hospital. Upon arrival, he checked the back of the ambulance, and recovered the items listed in my previous supplemental report.

P.O. FLORYANCE then assisted me while at the hospital, with an initial inventory assessment of items recovered.

END OF REPORT.....

Report Officer

017783/GADZALINSKI, MATTHEW M

Printed At

07/25/2016 03:50

Page 2 of 2

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0001

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
VEDBRAATEN, LEE F

Administrative Information						
Agency MILWAUKEE POLICE DEPT	Incident No 161750037	Supplement No 0001	Reported Date 06/23/2016	Reported Time 10:00	CAD Call No 161750406	
Status REPORT TO FOLLOW	Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AVE			City WAUWATOSA	ZIP Code 53222		
From Date 06/23/2016	From Time 03:00	Officer 009064/VEDBRAATEN, LEE F				
Assignment INVESTIGATIVE MANAGEMENT DIVISION			Entered by 009064	Assignment INVESTIGATIVE MANAGEMENT DIVISION		
Confidential HOMICIDE	Property? None	Approving Officer 006709	Approval Date 06/25/2016	Approval Time 14:27:22		
MISC INFO 151 PHOTOS		MISC INFO CAMCORDER VIDEO				
Modus Operandi						
Gang Act? No	Gang Name NONE	Crime Code(s) HOMICIDE				
Supplement						

This incident supplement was written by Forensic Investigator Lee F. VEDBRAATEN, assigned to Squad 1930, of the Forensics Division, late shift.

On Thursday, June 23rd, 2016, at approximately 5:19 A.M., I was dispatched to the scene of a fatal police involved shooting investigation. Upon my arrival at 9800 W. Glendale Ave., Wauwatosa, WI., I spoke with Detective Nicolas JOHNSON, assigned to Squad 9540, of the CIB, Late shift. Detective JOHNSON informed me of the circumstances and requested that I photograph & record the scene with a camcorder.

I took one hundred fifty-one digital photographs of the scene. The camcorder video was placed on several CD's and handed over to Detective JOHNSON.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
**DRAFT**

Supplement No  
0002

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
GADZALINSKI, MATTHEW M

Administrative Information						
Agency MILWAUKEE POLICE DEPT	Incident No 161750037	Supplement No 0002	Reported Date 06/23/2016	Reported Time 10:40	CAD Call No 161750406	
Status REPORT TO FOLLOW	Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AV			City WAUWATOSA	ZIP Code 53225		
From Date 06/23/2016	From Time 03:07	Officer 017783/GADZALINSKI, MATTHEW M				
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Entered by 017783			
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 06/25/2016		Approval Time 14:28:48				
Modus Operandi						
Gang Act? No	Gang Name NONE	Crime Code(s) HOMICIDE				
Supplement						

This report is submitted by Detective Matthew GADZALINSKI, assigned to the Metropolitan Investigations Division, Homicide Unit. On 06-23-16, I was informed, and instructed by Lt. Joseph MCLIN to respond to the scene of an Officer Involved shooting which involved the Wawautosa Police Department. We were informed that the incident had taken place inside of Madison Park, 9800 W Glendale Ave. This incident would be labeled OIS 2016-8.

While headed to the scene of the incident, I was redirected by Lt. MCLIN to head to Froedtert Memorial Hospital, 9200 W Wisconsin Ave, to meet the victim who had been transported. That subject would later be identified as Jay L ANDERSON (B/M 07-04-90).

Upon arrival I met with members of the Wawautosa Fire Department. I was informed that all members who responded to the scene of this incident, came from Fire House #52.

## MED # 52 Personnel:

Dispatch time - 3:08 am - "Assist PD," updated to subject with a GSW, and told to stage.

On Scene MED 52 - 3:15 am

Transport to Froedtert Memorial Hospital - 3:35 am

On Scene at Froedtert Memorial Hospital - 3:46 am

Lt. Brian O' DAY - I spoke with Lt. O' DAY at Froedtert, and he stated that the victim was never conscious during any treatment or conveyance. Lt. O' DAY stated that they arrived on scene and immediately attempted lifesaving measures, with treatment for multiple gun shot wounds to the head. They were able to regain a pulse on ANDERSON and conveyed to Froedtert. Lt. O' DAY stated shortly upon their arrival to the Trauma Room, ANDERSON was pronounced deceased. Lt. O' DAY never heard any verbal sounds or communication from ANDERSON. Lt. O' DAY stated he did not deliver any medications, only an I-V with fluid.

Firefighter / Paramedic David TIPPEL (Driver) - Was the initial driver on the rig, however assisted in medical care during the conveyance to the hospital. He was restocking the ambulance when I arrived, and I did not speak with him.

## ENGINE # 52 Personnel:

Report Officer 017783/GADZALINSKI, MATTHEW M	Printed At 07/25/2016 03:50	Page 1 of 3
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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0002

**Supplement**

Captain Scot FRIDRICK- Initially responded inside the Engine, however drove the MED rig for victim's conveyance. FRIDRICK stated ANDERSON was never conscious, and he never heard any verbal sounds or communication from ANDERSON.

Firefighter Christopher SCHULTZ - Responded with the Engine, and assisted inside the MED rig during victim's conveyance, stated ANDERSON was never conscious, and he never heard any verbal sounds or communication from ANDERSON.

MPO Pat QUINLEAVEN - Responded with the Engine, was not at the hospital.

I was met in the trauma room by Police Officers Tyler LALLIER (Squad 306, employee # 6700) & Andrew FLORYANCE (Squad 301, employee # 6568,) of the Wauwatosa Police Department, who had taken custody of property, and who were securing ANDERSON's body after he had been pronounced deceased. SEE SEPARATE SUPPLEMENTS FOR THEIR STATEMENTS REGARDING THE INCIDENT.

Admit Time - 03:46 am

Admit /Attending Physician - Dr. Jillian THEABOLT

Pronounce Deceased Time - 04:05 am

Pronouncing Physician - Dr. Jillian THEABOLT

Prior to ANDERSON's transport to the hospital morgue, I was met by Forensic Investigator James PETERSON (Squad 1921) in the trauma room for photographs. ANDERSON had already been placed in to a white body bag, which was zipped up. I was informed by P.O. LALLIER that medical staff had taken custody of property while ANDERSON was being treated. He informed me of the following:

Hospital Tech Dominique OWENS - took custody of ANDERSON's clothing and belongings, and placed in a series of bags.

RN Jennifer LIEBE - placed a paper bag over ANDERSON's right hand after pronouncement

RN Michael ROBINSON - placed a paper bag over ANDERSON's left hand after pronouncement.

I then contacted the Medical Examiners office at approximately 4:30am and spoke with Forensic Investigator Luke WARNKE, advising him of the incident. FI PETERSON then took overall photographs while still in the trauma room, and I opened the body bag for photographs of ANDERSON'S body. Through observation, and explanation from the medical staff, the following probable wounds were discovered:

- Gun shot wound to right cheek, to the right of the ear
- Gun shot wound through the right ear
- Gun shot wound to the top of the right trapezoid area, between base of neck and right shoulder
- Gun shot wound to the rear right of the skull

Dr. THEABOLT informed me that she thought she could feel a probable bullet lodged in the back of ANDERSON's neck, at the base of his skull. A quantity of blood and brain matter were observed, inside the bag, underneath ANDERSON's head.

I took custody of the following items, listed below. All items were conveyed from the scene with ANDERSON's person, and taken to Froedtert. Per P.O. LALLIER who accompanied ANDERSON, ANDERSON's clothing was first cut and shoes removed while inside of the MED rig, enroute to the hospital. P.O. FLORYANCE informed me that upon arrival to the hospital, he did a check of the MED Rig, which he had followed in his squad car. P.O. FLORYANCE recovered the following items from inside the MED Rig, then placed them in the bag which was turned over to me: Item # 1, Item #2, Item #3, & Item # 7:

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**Incident Report  
MILWAUKEE POLICE DEPT**

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DRAFT**

Supplement No  
0002

**Supplement**

The following items had been found co-mingled a brown paper bag, and or separated into a clear plastic bag, these items were all placed on MPD Inventory # 16-022217 :

Item #1 - Blue and White, Nike Air Jordan high top tennis shoe, Men's size 10 with white laces, right foot, with small amount of possible blood splatter on the inseam of the shoe.

Item #2 - Blue and White, Nike Air Jordan high top tennis shoe, Men's size 10 with white laces, left foot, with small amount of possible blood splatter on the toe area of the shoe.

Item #3 - Silver, rope style necklace, which was broken outside of the clasp, and had possible blood inside of some of the chain links- *Had been placed in a clear plastic bag.*

Item #4 - Red and Black "Ralph Lauren" brand boxer shorts, with a deer style emblem, Size Small, which were cut by medical personnel, and had blood staining on them. *This item was blood soaked, and placed in the drying room under lock # 77941.*

Item #5 - Blue and White striped, "Ralph Lauren," brand, short sleeve polo, collar style shirt, size XL, which had an apparent bullet hole in the right shoulder area consistent with one of the victim's wounds. *This item was blood soaked, and placed in the drying room under lock # 77941.*

Item #6 - (2) Black cotton ankle socks, one of which had holes in the toe area, consistent with common wear and tear.

Item #7 - "Levis" brand, tan/khaki pants, size 36x30, with a brown leather belt (silver buckle) that is looped through the belt loops. *This item was blood soaked, and placed in the drying room under lock # 77941 -*

Item #8 - Cousins sub shop, business style "Loyalty Card", which I recovered from the left rear pants pocket of item # 7. The card stated that it was only valid for use at the Cousins, at 11401 W Silver Spring Dr.

Item #9- Knotted clear sandwich bag, which was original container for the suspected green plant narcotics, which I recovered from the right front pants pocket of Item # 7. I conveyed this item to the Forensics Section for latent case, and possible DNA examination processing.

While examining Item #7, the pants recovered from ANDERSON, I located a knotted clear plastic sandwich bag in the right front pants pocket. That bag contained a green plant like substance I know to be consistent with marijuana. That bag was later conveyed to the Police Administration Building, I had the green plant like substance tested by Police Officer Todd BOHLEN (Squad 1148.) The substance was tested using the Nark II 05 field test, was positive for THC, and had a total weight of 2.43 grams. I placed the narcotics on MPD inventory # 16-022224, Item #1.

Handed over to me from P.O. LALLIER, was a specimen jar with the label of India Doe. Inside the trauma room, the hospital staff had placed the following U.S. Coins which were taken from ANDERSON's person: (2) U.S. Quarters and (1) U.S. Penny. The coins equaled .51 cents. I placed the coins, still inside of the jar, on MPD Inventory # 16-022227.

At 5:55am, P.O. LALLIER escorted ANDERSON's body to the hospital morgue. ANDERSON was locked inside by Hospital Tech Kevin Fedderly, awaiting transport from the Medical Examiner's office transport team.

END OF REPORT.....



# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

DRAFT

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
GADZALINSKI, MATTHEW M

Supplement No  
0003

Administrative Information						
Agency MILWAUKEE POLICE DEPT	Incident No 161750037	Supplement No 0003	Reported Date 06/23/2016	Reported Time 10:40	CAD Call No 161750406	
Status REPORT TO FOLLOW	Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AV			City WAUWATOSA	ZIP Code 53225		
From Date 06/23/2016	From Time 03:07	Officer 017783/GADZALINSKI, MATTHEW M				
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Entered by 017783			
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 06/28/2016		Approval Time 15:29:10				
Modus Operandi						
Gang Act? No	Gang Name NONE	Crime Code(s) HOMICIDE				
Supplement						

This report is submitted by Detective Matthew GADZALINSKI, assigned to the Metropolitan Investigations Division, Homicide Unit. On 06-23-16, I was informed, and instructed by Lt. Joseph MCLIN to respond to the scene of an Officer Involved shooting which involved the Wawautosa Police Department. We were informed that the incident had taken place inside of Madison Park, 9800 W Glendale Ave. This incident would be labeled OIS 2016-8.

While headed to the scene of the incident, I was redirected by Lt. MCLIN to head to Froedtert Memorial Hospital, 9200 W Wisconsin Ave, to meet the victim who had been transported. That subject would later be identified as Jay L ANDERSON (B/M 07-04-90). As a result of my part of the investigation, taking place at Froedtert Hospital, I conducted interviews of two officers who had responded to the scene of this shooting prior to their escort of the victim to the hospital.

The first officer I interviewed was Police Officer Tyler LALLIER (Employee # 6700, Squad #306), who was appointed to the Wawautosa Police Department on 01-03-15. P.O. LALLIER stated that he works the late shift, with hours consisting of 11:00pm to 7:24am. During this night's shift, he was assigned Squad # 306, and was operating a fully marked squad, a Ford Taurus #P207, that was equipped with in-squad video. He was in full police uniform.

P.O. LALLIER stated that he was at the Wawautosa Police Department Station, 1700 N 116th St, when he heard a known voice come over the police radio. P.O. LALLIER stated that voice he recognized was that of Police Officer MENSAH, one of his co-workers, and P.O. MENSAH was calling for assistance. He stated that P.O. MENSAH went out with call for an occupied auto, in Madison Park, and so he started to respond to the park.

P.O. LALLIER stated he did not start responding red/blue lights until he heard P.O. MENSAH state over the air "Subject has a gun!" At this point he stated he responded with his squad car camera, lights, and siren activated. P.O. LALLIER stated that he hears two more separate communications from P.O. MENSAH after the subject with gun statement, those communications were: "SHOTS FIRED," and "SUBJECT DOWN!"

P.O. LALLIER felt that he arrived on scene to Madison Park (9800 W Glendale Ave) as quickly as it took him to get from the station, after that first broadcast. P.O. LALLIER stated that someone over the air, had stated they were in "the parking lot," so he knew exactly where to respond. P.O. LALLIER stated when he arrived, and pulled in the lot, and he observed the following Squads already on scene: Squad 318 (P.O. Ralph SALYERS) - Squad

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Supplement No  
0003

**Supplement**

301 (P.O. FLORYANCE) - Squad 304(P.O. MILLS)- and Squad 305 (P.O. MENSAH.)

P.O. LALLIER stated that the shooting victim's vehicle was in about the middle of the lot, facing eastbound, and he stated that P.O. MENSAH's vehicle was facing the subject's car at an angle, off to the right, on the driver's side. P.O. LALLIER stated he could not recall if the victim's vehicle was running or not when he arrived. He stated he remembered that P.O. MENSAH had his squad "Take Down lights" on, but when he arrived he did not remember seeing P.O. MENSAH's red/blue lights activated. P.O. LALLIER stated that he pulled past those two vehicles, and parked his squad car in the north east corner of the lot. He does remember briefly pulling out his service weapon upon arrival, and while he was checking the north side of the lot for any other possible threats during this incident.

P.O. LALLIER stated he remembered seeing P.O. MENSAH off to the side of the vehicles, however he never spoke with him. P.O. LALLIER then went around to Squad 305 where he retrieved an A.E.D and First Aid kit. He approached the subject's vehicle, where he observed the shooting victim seated in the driver's seat of the car. He observed the subject seated upright, slightly laid back, with his head tilted slight to the right. He remembered the subject's hands somewhere around the waist or lap area.

P.O. LALLIER stated that P.O. SALYER had the driver's side door open, and was already attempting to tend to the subject, and had checked the subject's left wrist for a pulse. P.O. LALLIER stated that he also checked the left wrist for a pulse. It was his belief and understanding that both he and P.O. SALYER felt a pulse at the wrist. P.O. LALLIER stated that at no point in having contact with the subject, did he observe him to be conscious.

P.O. LALLIER stated he observed a large quantity of blood on the subject, and next to him in the car. The shooting victim's car itself, he observed to have a shattered out rear driver's side window, and he was immediately struck by the odor of fresh marijuana which was emanating from inside the vehicle. He stated he knew it was a (4) door auto, but at the time was unable to remember much else about the description of the car. P.O. LALLIER observed the subject to be wearing khaki pants, a blue/white polo shirt, and had no head wear.

P.O. LALLIER stated that P.O. SALYERS grabbed hold of the subject, later identified as Jay L ANDERSON (B/M 07-04-90), on the left side of his body, and started to remove him from the vehicle. P.O. LALLIER stated that he immediately assisted, and started to grab ANDERSON's body on the right side. P.O. LALLIER stated that they lowered ANDERSON to the ground. By the time they got ANDERSON to the ground, he was able to see personnel from their Fire Department arriving on scene. P.O. LALLIER stated he heard there was a gun in vehicle, however he did not observe or touch one. He stated at some point, P.O. SALYERS had acquired an Identification Card for ANDERSON, however did not have any knowledge of where the I.D. had come from.

The medical personnel immediately took over life saving measures. P.O. LALLIER stated that he backed off while the subject was being treated by the Fire Department, and stayed with ANDERSON as he was loaded into MED 52, and subsequently conveyed to Froedtert Hospital. P.O. LALLIER informed me that the strong odor of fresh marijuana continued, now coming from ANDERSON's person, while they were in transit to the hospital. As described in my other supplemental report, P.O. LALLIER took custody of property, and informed me of what happened when they arrived at the hospital.

END OF REPORT.....

Report Officer  
017783/GADZALINSKI, MATTHEW M

Printed At  
07/25/2016 03:50

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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

Supplement No  
0005

**DRAFT**

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, STEVEN S

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0005		Reported Date 06/23/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLEDALE AV				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010978/JOHNSON, STEVEN S			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010978			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 06/25/2016		Approval Time 14:30:26					
Modus Operandi							
Gang Act? No	Gang Name NONE		Crime Code(s) ALL OTHERS				
Supplement							

This report is written by Detective Steven S. Johnson, assigned to Metropolitan Division, Homicide Unit (Late Shift).

On Thursday, June 23, 2016, at 4:05 AM, I, along with other members of the Metropolitan Division, was directed by Sqd 9509, Lt. Joseph McLIN, to respond to the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (CAD #16-175-0406).

Upon arrival, Wauwatosa PD, Sqd 370, Lt. Gary GABRISH, briefed us at 3:03 AM, Sqd 305, PO Joseph MENSAH, had conducted a routine park check when he encountered a subject inside a parked vehicle. He found the subject incapacitated and attempted to wake him up by knocking on the window. The subject woke up, ignored his commands, and reached for a handgun on the front passenger seat. Fearing for his safety, PO MENSAH fired into the vehicle. The subject sustained several gunshot wounds and ultimately became deceased at Froedtert Memorial Hospital.

I was instructed by Lt. McLin to conduct the next of kin notification for the subject, identified as Jay L. Anderson Jr. B/M 07-04-90, MPD PIN #405261, 8026 W. Medford Av.. I changed location to the address of 8026 W. Medford Av., where I was met by PO Nate Woods (Squad 4390) in order to make the notification.

Upon arriving at the address of 8026 W. Medford Av., I made contact with a male, identified as Jay L. Anderson Sr. B/M 03-08-67, 8026 W. Medford Av., phone number (414)551-1154. Anderson invited PO Woods and I into his residence and stated "I hope you ain't bringing any bad news". I conducted this interview with Anderson Sr. in the kitchen of the residence, at which time he provided the following information.

\*\*\*\*Interview of Jay Anderson Sr.\*\*\*\*

Anderson Sr. identified his son as Jay L. Anderson Jr. B/M 07-04-90, who resides at his residence with his girlfriend, identified as Starkeisha DeLaRosa, and her two children. Anderson Sr. stated that his son has one child in common with DeLaRosa, and they live in the basement. In addition, Anderson Sr. identified his wife, who was on scene, as Linda M. Anderson B/F 12-29-65.

Anderson Sr. stated that he last saw Anderson Jr. last night, Wednesday, June 22, 2016, at approximately 10:00pm, at which time Anderson Jr. was watching television in the living room of the residence. Anderson Sr. stated he went to bed at 10:00am, and woke up shortly before my arrival. Anderson Sr. stated when he went to

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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0005

**Supplement**

bed, Anderson Jr. was wearing a white in color Polo shirt with thin blue stripes, blue jeans and blue and white Jordan shoes.

Anderson Sr. asked if something bad had happened because he had turned on the television when he woke up and observed the news broadcasting that there had been a shooting and observed a vehicle involved in the incident looked similar to the vehicle owned by DeLaRosa's mother. Anderson Sr. stated he needed to know now if something had happened.

I advised Anderson Sr. that there had been a officer involved shooting in the City of Wauwatosa and that Anderson Jr. was possibly involved. I advised Anderson Sr. that I would have to show him a photograph of a subject to positively identify if that was Anderson Jr., at which time Anderson Sr. agreed to view the photograph.

I had Anderson Sr. view a photograph that was taken by Detective Matthew Gadzalinski (Squad 9536) at Froedtert Hospital, 9200 W. Wisconsin Av. and sent view a text message to my cell phone. This photograph was photo of Anderson Jr. head. I had Anderson Sr. view the photograph, at which time he positively identified the person in the photograph as his son, Jay L. Anderson, at 7:12am..

Anderson Sr. began despondent upon viewing the photograph and began to yell to his wife that Anderson Jr. was dead. I was able to briefly speak with Anderson Sr. at which time I asked him if he had ever seen Anderson Jr. with a firearm inside of his residence, at which time he said that he had never seen Anderson Jr. in possession of any firearm inside the residence. Due to Anderson Sr. emotional state he was unable to answer any additional questions.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

Supplement No  
0006

DRAFT

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, STEVEN S

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0006		Reported Date 06/23/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AV				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010978/JOHNSON, STEVEN S			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010978			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 06/29/2016		Approval Time 15:24:46					
Modus Operandi							
Gang Act? No	Gang Name NONE		Crime Code(s) HOMICIDE				
Supplement							

This report is written by Detective Steven S. Johnson, assigned to Metropolitan Division, Homicide Unit (Late Shift).

On Thursday, June 23, 2016, at 4:05 AM, I, along with other members of the Metropolitan Division, was directed by Sqd 9509, Lt. Joseph McLIN, to respond to the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (CAD #16-175-0406).

Upon arrival, Wauwatosa PD, Sqd 370, Lt. Gary GABRISH, briefed us at 3:03 AM, Sqd 305, PO Joseph MENSAH, had conducted a routine park check when he encountered a subject inside a parked vehicle. He found the subject incapacitated and attempted to wake him up by knocking on the window. The subject woke up, ignored his commands, and reached for a handgun on the front passenger seat. Fearing for his safety, PO MENSAH fired into the vehicle. The subject sustained several gunshot wounds and ultimately became deceased at Froedtert Memorial Hospital.

I was instructed by Lt. McLin to conduct the next of kin notification for the subject, identified as Jay L. Anderson Jr. B/M 07-04-90, MPD PIN #405261, 8026 W. Medford Av.. I changed location to the address of 8026 W. Medford Av., where I was met by PO Nate Woods (Squad 4390) in order to make the notification.

During the next of kin notification at this location I identified as female on scene as Starkeisha M. DeLaRosa B/F 02-19-89, 8026 W. Medford Av., (414)269-7288, who identified herself as the girlfriend of Jay Anderson. I conducted an interview of DeLaRosa as she was seated inside of my unmarked squad car, who provided the following information.

\*\*\*\*Interview of Starkeisha DeLaRosa\*\*\*\*

DeLaRosa identified herself as the live-in girlfriend of Jay Anderson Jr., whom she has known for five (5) years. DeLaRosa stated that she has one child in common with Anderson, identified as Jaelyn Anderson B/M 03-13-15. DeLaRosa stated that they both currently live with Anderson's parents at the address of 8026 W. Medford Av., along with her two children.

DeLaRosa stated that on yesterdays date, Wednesday, June 22, 2016, she, along with Anderson, slept in their room, which is located in the basement of the residence. DeLaRosa stated she woke up at approximately 9:00am with the children and Anderson slept until approximately 11:30am..

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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0006

**Supplement**

DeLaRosa stated she took the children to her mothers, identified as 4520 N 110th St., Wauwatosa, WI, at approximately 1:00pm, at which time they took the children to the splash pad at Madison Park. DeLaRosa stated when she left the residence, Anderson was watching tv in the living room. DeLaRosa stated that her car had recently been over heating and her mother allowed her to use her vehicle, 2006 Nissan Altima, black in color, which she believed she picked up at her mothers residence on Tuesday.

DeLaRosa stated she dropped her mother off at her residence at approximately 2:00pm, where she then drove back to her residence of 8026 W. Medford Av. in the Nissan Altima. DeLaRosa stated upon entering the residence, Anderson was still at home but could not remember exactly what he was doing.

DeLaRosa stated at approximately 3:30pm, she drove alone to the Materson Staffing, 1509 S. 108th St., leaving the children at home with Anderson in the living room of the residence. DeLaRosa stated she applied for jobs and stayed until approximately 5:00pm, before returning home. DeLaRosa stated upon returning home, Anderson was still inside the residence with the children.

DeLaRosa stated they both stayed at the residence, playing with the children inside and outside and watching television and Anderson did not leave the residence for any extended period of time. DeLaRosa stated she went to sleep with the children at approximately 10:30pm, and Anderson was watching television upstairs.

DeLaRosa stated at approximately 11:30pm, Anderson woke her up and told her he was going to the gas station and she told him to make sure to put the car in the driveway so it would not get a ticket. DeLaRosa stated she fell back asleep and awoke at approximately 1:00am and observed Anderson was not at home. DeLaRosa stated she tried calling his phone, (414)210-0606, at which time she did not receive an answer. DeLaRosa stated she tried calling numerous times and still did not get an answer.

DeLaRosa stated she fell back asleep and awoke several hours later and she observed Anderson was still not at home. DeLaRosa stated she checked upstairs and found Anderson was not there and tried numerous times to call him with no answer. DeLaRosa she fell back asleep and was awoken by the sound of Anderson's parents screaming and crying, at which time she came upstairs and was told Anderson Jr. had been shot by police.

DeLaRosa stated the last time she saw Anderson Jr. he was wearing a white in color short sleeve polo shirt with dark blue thin stripes, blue jeans and unknown shoes. DeLaRosa stated Anderson Jr. is a heavy marijuana user, usually smoking at least seven marijuana "blunts" each day and to the best of her knowledge he does not sell marijuana. DeLaRosa stated she has never seen Anderson Jr. in possession of a firearm inside their bedroom or at any other times since she has known him. DeLaRosa stated she was aware that Anderson Jr. was arrested regarding a firearm in the past but could not remember the details regarding the incident.

DeLaRosa stated she did not know why Anderson Jr. would have been in the Wauwatosa park in the vehicle, but her mother lived close to the park and one of Anderson Jr. sisters, Tasha Johnson, lived in the "high" numbers on W. Capital Dr.. DeLaRosa stated she does allow Anderson Jr to drive her mothers vehicle, but only for short trips because it is her mothers vehicle. DeLaRosa stated to the best of her knowledge Anderson Jr. was not having any problems with anyone that would require him to be carrying a gun.

DeLaRosa was highly emotional and crying throughout the interview and could provide no additional information.



# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

Supplement No  
0007

DRAFT

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, STEVEN S

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0007		Reported Date 06/23/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AV				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010978/JOHNSON, STEVEN S			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010978			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Prop Trans Stat Pending	Property? Yes	
Approving Officer 006709		Approval Date 06/25/2016		Approval Time 14:32:30			
Modus Operandi							
Gang Act? No	Gang Name NONE						
Supplement							

This report is written by Detective Steven S. Johnson, assigned to Metropolitan Division, Homicide Unit (Late Shift).

On Thursday, June 23, 2016, at 4:05 AM, I, along with other members of the Metropolitan Division, was directed by Sqd 9509, Lt. Joseph McLIN, to respond to the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (CAD #16-175-0406).

Upon arrival, Wauwatosa PD, Sqd 370, Lt. Gary GABRISH, briefed us at 3:03 AM, Sqd 305, PO Joseph MENSAH, had conducted a routine park check when he encountered a subject inside a parked vehicle. He found the subject incapacitated and attempted to wake him up by knocking on the window. The subject woke up, ignored his commands, and reached for a handgun on the front passenger seat. Fearing for his safety, PO MENSAH fired into the vehicle. The subject sustained several gunshot wounds and ultimately became deceased at Froedtert Memorial Hospital.

During the course of the on scene investigation, Wauwatosa Police Officer Ralph Salyers recovered property, suspected marijuana and US Currency, from the left front pants pocket of the subject, identified as Jay L. Anderson B/M 07-04-90, MPD PIN #405261. This property was transferred into the custody of Detective Troy Porter on scene at the address of 9800 W. Glendale Av.

Detective Porter conveyed this property to the Milwaukee Police Administration Building, 749 W. State St., where I took custody of the property from Detective Porter while inside of the Metropolitan Investigation Unit, which is located on the Sixth Floor of the Police Administration Building on Thursday, June 23, 2016 at 8:30am.

I hand carried the suspected marijuana to the District #1 Assembly, which is located on the Second Floor of the Police Administration Building to test the suspected marijuana. I, Detective Johnson, tested the substance using the Nark II 05 field test, which tested positive for THC, and had a total weight of 9.98 grams. This marijuana was packaged in one (1) clear plastic sandwich bag. I placed the marijuana on MPD Inventory #16022231, item #1. This piece of evidence was secured inside of drug dropbox in the Investigations Property Room, which is located on the Basement Floor of the Police Administration Building.

In addition to the above listed marijuana, I took custody of US Currency from Detective Porter. This currency was found to be in the following denominations:

Report Officer 010978/JOHNSON, STEVEN S	Printed At 07/25/2016 03:50	Page 1 of 2
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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0007

**Supplement**

- 1) \$1.00 Bill: Quantity of seven (7). Total value \$7.00
  - 2) \$10.00 Bill: Quantity of six (6). Total value \$60.00
  - 3) \$20. 00 Bill: Quantity of thirty one (31). Total value \$620.00
  - 4) \$50.00 Bill: Quantity of one (1). Total value \$50.00
  - 5) \$100.00 Bill: Quantity of one (1). Total value \$100.00
- Total value \$837.00.

I placed the US Currency on MPD Inventory #16022225, items #1 - 5. This piece of evidence was secured inside of money dropbox in the Investigations Property Room, which is located on the Basement Floor of the Police Administration Building.

This incident occurred inside of a parked vehicle at the address of 9800 W. Glendale Av., in the City of Wauwatosa. The vehicle the subject was inside of was found to be a 2006 Nissan Altima, Wi plates 749-USD, four door, black in color. A check with WDOT found the vehicle to list to Olena DeLaRosa W/F 08-10-73, 4520 N. 110th St., Wauwatosa, Wi. 53223, (414)394-3097.

I changed location to the address of 4520 N. 110th St., where I spoke with DeLaRosa (see supplemental report). During the interview, I asked for and received consent to search the vehicle involved in this incident for any evidence. DeLaRosa read and signed the Milwaukee Police Department Consent to Search Authorization form, PF-3, at which time she signed the consent form on Thursday, June 23, 2016 at 10:55am, consenting to the search of the vehicle. I provided DeLaRosa with a copy of the Consent to Search form.

I placed this Consent to Search form, PF-3 on Milwaukee Police Department Inventory #16022239, item #1. This piece of evidence was secured inside of the Metropolitan Investigations Evidence Locker, which is located on the Basement Floor of the MPD Police Administration Building, 749 W. State St..

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0008

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
PORTER, TROY V

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0008		Reported Date 06/23/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AV				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 012439/PORTER, TROY V			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 012439			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 06/25/2016		Approval Time 14:33:10					
Modis Operandi							
Gang Act? No	Gang Name NONE	Crime Code(s) HOMICIDE					
Supplement							

This report is written by Detective Troy PORTER (Squad 9539) assigned to the Metropolitan Investigations Division - Homicide Unit, Late Shift.

On Thursday, June 23, 2016 at approximately 3:59AM, Lieutenant Joseph MCLIN (Squad 9509) instructed me to respond to the address of 9800 W. Glendale Avenue in regards to an Officer Involved Shooting involving a Police Officer from the Wauwatosa Police Department.

It should be noted that also responding from the Metropolitan Investigations Division were the following personnel:

- Squad 9540, Detective Nicholas JOHNSON
- Squad 9559, Detective Luke O'DAY
- Squad 9536, Detective Matthew GADZALINSKI
- Squad 9537, Detective Steven JOHNSON

Upon my arrival we were briefed by Wauwatosa Police Department Lieutenant Gary GABRISH (Squad 37). After the briefing I was assigned to conduct Police Officer witness interviews.

Interview of: Wauwatosa Police Officer Ralph SALYERS (Squad 318)

I then located Officer SALYERS and conducted an interview with him while onscene. Police Officer SALYERS related that his appointment date to the Wauwatosa Police Department was June 3, 2012. He said that his work hours are from 10:00PM to 6:24AM. He said that he is a Patrol Specialist / Crash Investigator.

Regarding the incident, PO SALYERS said that while he was at the Wauwatosa Police Station, 1700 N. 116th Street, Wauwatosa, WI, he was called out to backup Wauwatosa Police Officer Joseph MENSAH (Squad 305) in regards to an occupied vehicle that was parked in Madison Park (9800 W. Glendale Avenue). PO SALYERS said that it's normal to find occupied vehicles parked in the park parking lot after the park is closed. He said that they usually find people smoking marijuana and "making out" while parked there.

PO SALYERS said that while enroute, when he reached N. Mayfair Rd and W. North Av, PO MENSAH came over the radio and said, "The subject has a gun. Step it up." Shortly after that PO MENSAH came over the radio saying, "Shots fired."

PO SALYERS said that during this time he activated his lights and siren. He said that Wauwatosa Police Officer

Report Officer 012439/PORTER, TROY V	Printed At 07/25/2016 03:50	Page 1 of 2
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**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0008

**Supplement**

Stephen MILLS (Squad 304) was few blocks ahead him, but he caught up to PO MILLS prior to entering the park. He said that PO MILLS entered the park and he followed behind. He said PO MILLS parked his squad to the north and behind PO MENSAH'S squad. He said that he (PO SALYERS) parked to the south and behind PO MENSAH'S squad.

PO SALYERS said that as he parked observed PO MENSAH standing at the driver's side of his (PO MENSAH) squad. He said that he observed that the subject (later identified as Jay Loren ANDERSON JR, B/M, 07-04-90) was seated in the driver's seat of the vehicle (Black Nissan Altima 2.5S, 4dr, WI Plate #749-USD) with his head back and chin out. He could see that ANDERSON was bleeding from his left ear. He and PO MILLS grouped up. He grabbed the long gun and they began to clear the vehicle. He said as they were clearing he Nissan, PO MILLS spotted a gun in the front passenger seat portion of the Nissan. PO SALYERS did not know where exactly in the front passenger seat PO MILLS located the gun. He said that PO MILLS then recovered the gun that was in the front passenger seat area.

PO SALYERS then opened the driver side doors to clear the Nissan for any other guns. He observed that ANDERSON was bleeding from the back of his head. He then put the long gun away. He could not recall if he did the first check for a pulse on ANDERSON'S neck before he put the long gun away or after. He said when he did check ANDERSON'S neck for a pulse; he did not feel a pulse. He then checked ANDERSON'S left arm for a radial pulse. He then felt that ANDERSON had a pulse. He and Wauwatosa Police Officer Tyler L'ALLIER, (Squad 306) then pulled ANDERSON out of the Nissan and laid him on his back on the ground. ANDERSON'S head was facing to the North and his feet were facing to the South. He said at this time the med unit arrived and began life saving measures. He stated that the med unit must have been near by due to the fact that he recalled that at some point the dispatcher asked if the scene was safe. He added that none of the Police Officers were able to start performing life saving measures due to the fact that by the time they pulled ANDERSON out of the Nissan, the med unit pulled up.

PO SALYERS also informed me that he did check ANDERSON'S pants pockets for any form of identification to get him identified. PO SALYERS located a plastic bag containing a green plant-like substance, money (U.S. Currency) and a black phone in ANDERSON'S front left pocket. PO SALYERS also located ANDERSON'S State of Wisconsin Identification Card, but he could not recall which pocket he located the WI ID in. PO SALYERS then turned over the items to me.

PO SALYERS said that he located and marked 6 casings that were on the ground at the northside of ANDERSON'S vehicle.

I later conveyed the items recovered by PO SALYERS to the Police Administration Building (PAB), 749 W. State Street. Upon my arrival I turned over the green plant-like substance to DET S. JOHNSON to be weighed and tested. I also turned over the money that was recovered to DET S. JOHNSON. DET S. JOHNSON will be filing a supplement report in regards to the testing and inventory of the plant-like substance along with the money.

While at the PAB I placed the black iPhone and ANDERSON'S State of Wisconsin ID Card on Milwaukee Police Department Property Inventory #16022226.

PO SALYERS had no further information to provide in regards to the shooting incident.

END OF REPORT

Report Officer 012439/PORTER, TROY V	Printed At 07/25/2016 03:50	Page 2 of 2
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0009

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0009		Reported Date 06/23/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AVE				City MILWAUKEE		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010266/O'DAY, LUKE G			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 06/25/2016		Approval Time 14:33:49					
Madus Operandi							
Gang Act? No	Gang Name NONE						
Supplement							

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

On Thursday, June 23, 2016, at about 4:05 AM, I, along with other members of the Metropolitan Division, was directed by Sqd 9509, Police Lieutenant Joseph McLIN, to respond to the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (CAD #16-175-0406).

Upon arrival, Wauwatosa PD, Sqd 370, Police Lieutenant Gary GABRISH, briefed us at 3:03 AM, Sqd 305, PO Joseph MENSAH, had conducted a routine park check when he encountered a subject inside a parked vehicle. He found the subject incapacitated and attempted to wake him up by knocking on the window. The subject woke up, ignored his commands, and reached for a handgun on the front passenger seat. Fearing for his safety, PO MENSAH fired into the vehicle. The subject sustained several gunshot wounds and ultimately became deceased at Froedtert Memorial Hospital.

Lt. McLIN directed me to conduct an interview with PO MENSAH. I located PO MENSAH, sitting with Wauwatosa PO Bryan WADE, who informed me Atty Jennifer HELLMER, legal counsel for Wauwatosa Police Officers, was en route. HELLMER arrived on scene and informed me she wanted PO MENSAH to have a full sleep cycle before he was interviewed.

I explained to Atty HELLMER there were a few things I needed, per the investigation, that would not violate PO MENSAH's request. I related to her that I would like to take photos of PO MENSAH in his uniform, depicting his appearance at the time of the incident. Sqd 1930, Forensic Investigator Lee VEDBRAATEN, arrived on scene and took those photos. PO MENSAH was wearing a dark blue, Wauwatosa Police Department uniform, equipped with a badge on his left chest and a duty belt (handgun, taser, magazines, handcuffs, flashlight, etc.) around his waist.

I next explained to Atty HELLMER that I needed to recover PO MENSAH's weapon and magazine. I transported PO MENSAH, along with PO WADE, to the Wauwatosa Police Department to obtain the weapon. Atty HELLMER followed us in her vehicle.

Once inside a conference room located inside Wauwatosa PD, I obtained the following items from PO MENSAH:

Black, Glock, model #22, .40 cal, semi-automatic, S/N UFB860, with a 15 round capacity magazine, equipped with

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 1 of 2
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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0009

**Supplement**

a TLR-1's Streamlight (#198510 1214) tactical flashlight. (MPD inv #16022232, item #2) (MPD gun tag #75462)

I examined the magazine that was inserted inside the magazine well and found it loaded with (9) Federal 40 S&W nickel plated brass unfired cartridges. I also found (1) Federal 40 S&W nickel-plated brass unfired cartridge in the chamber of the weapon. (MPD inv #16022232, item #1)

PO MENSAH was carrying 3 additional 15 round capacity magazines on his duty belt. All three magazines were loaded with 15 unfired cartridges.

I packaged the items at Wauwatosa PD and hand carried them to the Police Administration Building, where I placed them on MPD inventory #16022232, items #1-2.

Additionally, prior to leaving Wauwatosa PD, I obtained a copy of the Computer Aided Dispatch for this assignment: 16.018370. I placed the original on MPD inv #16022232 as item #3.

PO MENSAH will give a statement on Friday, June 24, 2016, at 9:30 AM.

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 2 of 2
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0011

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
BRAUNREITER, MICHAEL

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0011		Reported Date 06/23/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)		Reported Time 14:12		CAD Call No 161750406	
Location 9800 W GLENDALE AV				City WAUWATOSA		Rep Dist 833	
From Date 06/23/2016		From Time 03:07		Officer 004609/BRAUNREITER, MICHAEL		District 4	
Assignment METROPOLITAN INVESTIGATIONS DIVISION		Entered by 004609		Squad 430			
Assignment METROPOLITAN INVESTIGATIONS DIVISION		Confidential HOMICIDE		Prop Trans Stat Pending		Property? Yes	
Approving Officer 006709		Approval Date 06/25/2016		Approval Time 14:35:10			
MISC INFO EVIDENCE INVENTORY #16022260							
MISC INFO SQUAD 1725 FORENSIC INVESTIGATOR DOUGLAS BRAHM							
MISC INFO MEDICAL EXAMINER'S CASE #16-03222							
Modus Operandi							
Crime Code(s) INVS							
Supplement							

This report is submitted by PSSI Michael BRAUNREITER assigned Squad 9522 of the Metropolitan Investigations Division.

On Thursday 06/23/2016 Squad 9522 PSSI Michael BRAUNREITER was assigned to conduct follow-up relative to this investigation. The follow-up needed is to respond to the Milwaukee County Medical Examiner's Office located at 933 W. Highland Ave. to monitor the autopsy be performed on the victim was been tentatively identified as Jay L ANDERSON Jr. B/M 07/04/1990.

Upon my arrival I did observe the victim, he arrived at the Medical Examiner's Office without clothing. The medical examiner's staff did measure the victim and determined that he was 72 inches long and weighed 166 pounds. The medical examiner's staff to assign this victim their case #16-03222.

Squad 1725 Forensic Investigator Douglas BRAHM responded and did take several photographs as well as right index finger prints. These fingerprints were compared to fingerprints already on file with the Milwaukee Police Department at which time a positive identification was made of the victim Jay L ANDERSON Jr. B/M 07/04/1990 with a PIN of 405261.

Also present for this procedure was Wauwatosa Police Detective Joseph LEWANDOWSKI.

I then observed Dr. TLOMAK who was assisted by Autopsy Technician Amanda MEEKER conduct the external examination of the victim. This exam located six (6) gunshot wounds. These wounds are located as follows,

GSW #1 right ear,

GSW #2 behind left ear,

GSW #3 slightly above and behind right ear,

GSW #4 slightly above and behind left ear,

Report Officer 004609/BRAUNREITER, MICHAEL		Printed At 07/25/2016 03:50		Page 1 of 2	
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**Incident Report  
MILWAUKEE POLICE DEPT**

**161750037  
DRAFT**

Supplement No  
0011

**Supplement**

GSW #5 right cheek,

GSW #6 right shoulder.

Dr. TLOMAK conducted the autopsy procedure and stated the bullets that caused these wounds were fired from indeterminate ranges. Dr. TLOMAK then provided the following bullet paths,

(A) this is a perforating gunshot wound, entrance is on the right ear GSW #1 the bullet struck the victim traveling from right to left with no significant front to back or up or down deviation. The bullet passed through the victim's skull and brain exiting GSW #2 behind the left ear.

(B) this is a perforating gunshot wound, entrance is on the right side of the victim's head GSW #3 the bullet struck the victim traveling from right to left with no significant front to back or up to down deviation. The bullet passed through the victim's skull and brain exiting GSW #4 the left side of the head.

(C) this is a penetrating gunshot wound, the entrance is on the right cheek GSW #5 this bullet struck the victim traveling from front to back, right to left and downward traveling through the right cheek and soft tissue of the right side of the neck. This bullet which was recovered at the back of the neck is deformed, semi-jacketed and weighed 162 grain.

(D) this is a penetrating gunshot wound, the entrance is the right shoulder GSW #6 this bullet struck the victim traveling from right to left slightly front to back and downward traveling through the tissue of the right shoulder and muscles of the back. This bullet was recovered in the upper left side of the victim's back, it is deformed, copper jacketed and weighed 182 grain.

Dr. TLOMAK states the victim died as a result of these gunshot wounds and ruled his death a homicide.

I did take 55 photographs during this autopsy procedure.

Forensic Investigator Jason RUDELICH did turnover items of evidence that had been collected during this autopsy procedure. These items were packaged and placed on Milwaukee Police Department inventory #16022260. For a detailed description of these items refer to the property tab.

This investigations pending review.



# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0012

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
VEYTSMAN, DAWN E

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0012		Reported Date 06/23/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)		Reported Time 14:35		CAD Call No 161750406	
Location 9800 W GLENDALE AVE				City MILWAUKEE		ZIP Code 53224	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 007993/VEYTSMAN, DAWN E			
Assignment INVESTIGATIVE MANAGEMENT DIVISION				Entered by 007993		Assignment INVESTIGATIVE MANAGEMENT DIVISION	
Confidential HOMICIDE	Prop Trans Stat Pending	Property? Yes	Approving Officer 006709		Approval Date 06/25/2016		Approval Time 14:36:01
Motive/Operant							
Gang Act? No	Gang Name NONE	Crime Code(s) ALL OTHERS					
Supplement							

This incident supplement report is written by Forensic Investigator Dawn VEYTSMAN, assigned to the Forensics Section, Day Shift.

On June 23, 2016, DET. M. GADZALINSKI brought to the Forensics Lab the following items to be processed: one clear fold top baggie. These items were listed on MPD INV #16022217. I processed this case on June 23, 2016.

Using two sterile cotton swabs, one dry and one moistened with distilled water, I collected possible DNA samples:

DNA sample #1: collected from the edges of the baggie Item 1

These samples were placed on Inventory #16022245.

I processed the items with Cyanoacrylate and Ardrex, and was unable to recover any latent impressions.

I turned all of the evidence over to the Milwaukee Police Property Section.

I took three photos of this incident.

This incident was assigned Case #16-3530.

Report Officer 007993/VEYTSMAN, DAWN E	Printed At 07/25/2016 03:50	Page 1 of 1
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

DRAFT

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
ST CLAIR, CHET A

Supplement No  
0013

## Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0013		Reported Date 06/23/2016		Reported Time 14:52		CAD Call No 161750406	
Status REPORT TO FOLLOW			Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)								
Location 9800 W GLENDALE AV						City WAUWATOSA		ZIP Code 53225		Rep Dist 833	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 016638/ST CLAIR, CHET A							
Assignment INVESTIGATIVE MANAGEMENT DIVISION				Entered by 016638		Assignment INVESTIGATIVE MANAGEMENT DIVISION					
Confidential HOMICIDE	Prop Trans Stat Pending	Property? Yes	Approving Officer 006709			Approval Date 06/25/2016		Approval Time 14:36:43			

## Modus Operandi

Gang Act? No	Gang Name NONE	Crime Code(s) HOMICIDE
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## Supplement

This report is written by Forensic Investigator Chet ST. CLAIR, assigned to Forensics, Early Shift Squad 1831. On Thursday, 06-23-2016 at approximately 12:30pm, I processed evidence brought in by Detective Nicholas JOHNSON for latent fingerprints and possible DNA evidence. Using cyanoacrylate and ardrex, I processed a black and silver Ruger 9mm pistol, S/N 334-60459, and magazine (16022240 #11). I was unable to recover any lifts of comparative value.

Using two sterile cotton swabs for each sample, one of each pair moistened with distilled water, I collected the following samples for possible DNA evidence:

Sample #1 - collected from the grip and trigger area

Sample #2 - collected from the slide

Sample #3 - collected from the barrel

Sample #4 - collected from the magazine

Following collection, I secured each sample individually and placed them all on MPD Inventory #16022269. I took six digital photographs and assigned this case Latent Case #16-3537.

Report Officer 016638/ST CLAIR, CHET A	Printed At 07/25/2016 03:50	Page 1 of 1
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0014

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
ST CLAIR, CHET A

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0014		Reported Date 06/23/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AV				City WAUWATOSA		ZIP Code 53225	
Distict 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 016638/ST CLAIR, CHET A			
Assignment INVESTIGATIVE MANAGEMENT DIVISION				Entered by 016638			
Confidential HOMICIDE				Assignment INVESTIGATIVE MANAGEMENT DIVISION			
Prop Trans Stat Pending		Property? Yes		Approving Officer 006709		Approval Date 06/25/2016	
						Approval Time 14:37:16	
Modus Operandi							
Gang Act? No	Gang Name NONE	Crime Code(s) ASSAULTS					
Supplement							

This report is written by Forensic Investigator Chet ST. CLAIR, assigned to Forensics, Early Shift Squad 1831. On Thursday, 06-23-2016 at approximately 11:00am, I processed evidence brought in by Detective Luke O'DAY for latent fingerprints and possible DNA evidence. Using cyanoacrylate and ardrex, I processed ten unfired .40 cartridges (16022232 #1) and a black Glock Model 22 .40 pistol, S/N UFB860, with magazine and mounted Streamlight flashlight (#2). I was unable to recover any lifts of comparative value.

Using two sterile cotton swabs for each sample, one of each pair moistened with distilled water, I collected the following samples for possible DNA evidence:

Sample #1 - collected from the grip and trigger area of the pistol (#2)

Sample #2 - collected from the slide

Sample #3 - collected from the barrel

Sample #4 - collected from the magazine

Sample #5 - collected from the unfired cartridges (#1)

Following collection, I secured each sample individually and placed them all on MPD Inventory #16022273. I took six digital photographs and assigned this case Latent Case #16-3539.

Report Officer 016638/ST CLAIR, CHET A	Printed At 07/25/2016 03:50	Page 1 of 1
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0015

Reported Date  
06/25/2016  
Nature of Call  
OJINVEST  
Officer  
PORTER, TROY V

## Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0015		Reported Date 06/25/2016		Reported Time 05:55		CAD Call No 161750406	
Status REPORT TO FOLLOW			Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)								
Location 9800 W GLENDALE AV						City WAUWATOSA		ZIP Code 53225		Rep Dist 833	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 012439/PORTER, TROY V							
Assignment METROPOLITAN INVESTIGATIONS DIVISION						Entered by 012439					
Assignment METROPOLITAN INVESTIGATIONS DIVISION						Confidential HOMICIDE		Property? None		Approving Officer 006709	
Approval Date 07/04/2016		Approval Time 18:05:38									

## Modis Operandi

Gang Act? No	Gang Name NONE	Crime Code(s) HOMICIDE
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## Supplement

This report is written by Detective Troy PORTER (Squad 9539) assigned to the Metropolitan Investigations Division - Homicide Unit, Late Shift.

On Thursday, June 23, 2016 at approximately 3:59AM, Lieutenant Joseph MCLIN (Squad 9509) instructed me to respond to the address of 9800 W. Glendale Avenue in regards to an Officer Involved Shooting involving a Police Officer from the Wauwatosa Police Department.

It should be noted that also responding from the Metropolitan Investigations Division were the following personnel:

- Squad 9540, Detective Nicholas JOHNSON
- Squad 9559, Detective Luke O'DAY
- Squad 9536, Detective Matthew GADZALINSKI
- Squad 9537, Detective Steven JOHNSON

Upon my arrival we were briefed by Wauwatosa Police Department Lieutenant Gary GABRISH (Squad 37). After the briefing I was assigned to conduct Police Officer witness interviews.

### Interview of: Wauwatosa Police Officer Stephen MILLS (Squad 304)

I located Police Officer MILLS and conducted an interview with him while on scene. Police Officer MILLS related to me that his appointment date to the Wauwatosa Police Department was March 3, 2013. He said that his work hours are from 10:00PM to 6:00AM. He said he is assigned to Patrol.

Regarding the incident, PO MILLS said that the original call came over as an occupied auto in Madison Park (9800 W. Glendale Ave). He said within 1 minute or so Police Officer Joseph MENSAH (Squad 305) called out over the radio, subject with gun. PO MILLS stated that he was at W. Center Street and N. Mayfair Road at that time. Shortly after, PO MENSAH then called out over the radio, shots fired. PO MILLS activated his lights and siren.

PO MILLS said upon his arrival he observed PO MENSAH'S Squad car parked in front of ANDERSON'S car. He parked his squad car to the north and rear of PO MENSAH'S squad car. He then turned his focus on ANDERSON'S car and ANDERSON who was seated in the driver's seat. He said he did not see PO MENSAH at first. PO MILLS then exited his squad car and covered on ANDERSON'S car. He then observed PO MENSAH

Report Officer 012439/PORTER, TROY V		Printed At 07/25/2016 03:50		Page 1 of 2	
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Incident Report  
MILWAUKEE POLICE DEPT

161750037  
DRAFT

Supplement No  
0015

**Supplement**

between his squad car and PO MENSAH'S squad car. He said he thinks he saw PO MENSAH covering (with his gun drawn) on ANDERSON'S car, but he wasn't 100% sure. He said PO Ralph SALYERS, who arrived with him (PO MILLS) and was covering on ANDERSON'S car.

PO MILLS said that he then told PO MENSAH to get back, behind his squad car. He said PO Andrew FLORYANCE (Squad 301) or PO Joseph WONG, he could not recall who exactly, then arrived. He and PO SALYERS then approached ANDERSON at the driver's side of his (ANDERSON) car to clear the car. He observed that ANDERSON was seated in the driver's seat with his head back and mouth open. He observed blood coming from ANDERSON'S left ear. He then observed a baby car seat in the back seat, behind the passenger seat. PO MILLS moved to the rear driver seat to check the car seat for a baby. He said the car seat was empty. He then made his way to the passenger side of ANDERSON'S car. PO MILLS then observed a gun on the front passenger seat.

PO MILLS said the he then recovered the gun from the front passenger seat of ANDERSON'S car. He said he was wearing his black duty gloves when he picked up the gun by the handle using 2 fingers and his thumb. He placed the gun in a plastic bag and then placed the gun in the trunk of his (PO MILLS) squad car to secure it. He then checked on PO MENSAH making sure that PO MENSAH was ok and not injured or bleeding.

PO MILLS could not recall if ANDERSON'S car was running or if ANDERSON'S headlights were on.

PO MILLS had no further information to provide.

It should be noted that supplement report #10 was deleted due to the fact that I duplicated supplement report #10 with this supplement report #15.

END OF REPORT.

Report Officer  
012439/PORTER, TROY V

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07/25/2016 03:50

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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0016

Reported Date  
06/26/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, STEVEN S

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0016		Reported Date 06/26/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)		Reported Time 01:45		CAD Call No 161750406	
Location 9800 W GLENDALE AV				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010978/JOHNSON, STEVEN S			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010978			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 06/29/2016		Approval Time 15:25:20					
Modus Operandi							
Gang Act? No	Gang Name NONE	Crime Code(s) HOMICIDE					
Supplement							

This report is written by Detective Steven S. Johnson, assigned to Metropolitan Division, Homicide Unit (Late Shift).

On Thursday, June 23, 2016, at 4:05 AM, I, along with other members of the Metropolitan Division, was directed by Sqd 9509, Lt. Joseph McLIN, to respond to the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (CAD #16-175-0406).

Upon arrival, Wauwatosa PD, Sqd 370, Lt. Gary GABRISH, briefed us at 3:03 AM, Sqd 305, PO Joseph MENSAH, had conducted a routine park check when he encountered a subject inside a parked vehicle. He found the subject incapacitated and attempted to wake him up by knocking on the window. The subject woke up, ignored his commands, and reached for a handgun on the front passenger seat. Fearing for his safety, PO MENSAH fired into the vehicle. The subject sustained several gunshot wounds and ultimately became deceased at Froedtert Memorial Hospital.

During the on scene investigation, the subject involved in this incident was identified as Jay L. Anderson Jr. B/M 07-04-90, 8026 W. Medford Av., MPD PIN #405261. This incident occurred as Anderson was seated inside of a 2006 Nissan Altima, 4dr, black in color, Wi plates 749-USD, VIN #1N4AL11DX6C113910.

A routine check with Wisconsin Department of transportation found the vehicle's registered owner listed as Olena E. DeLaRosa W/F 08-10-73, 4520 N. 110th St., Wauwatosa, Wi. 53225. I changed location to the address, where I conducted an interview with DeLaRosa, who was able to provide the following information regarding the vehicle.

\*\*\*\*Interview of Olena DeLaRosa\*\*\*\*

I spoke with DeLaRosa inside her living room of the address of 4520 N. 110th St., at which time DeLaRosa stated that she is the owner of the 2006 Nissan Altima, Wi plates 749-USD. DeLaRosa stated at the current time, the vehicle is being used by her daughter, identified as Starkeisha DeLaRosa B/F 02-19-89, due to the fact the her daughter's vehicle overheats and she needed a reliable vehicle to drive to a job that she is starting today, Thursday, June 23, 2016. DeLaRosa stated her daughter has had the vehicle for the past two days and left her vehicle in her garage.

DeLaRosa stated that her daughter currently resides with her boyfriend, identified as Jay Anderson, in the area

Report Officer 010978/JOHNSON, STEVEN S	Printed At 07/25/2016 03:50	Page 1 of 2
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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0016

**Supplement**

of N. 83rd St. and W. Medford Av. in the City of Milwaukee. DeLaRosa stated her daughter has been dating Anderson for five years and they have one child in common. DeLaRosa stated to the best of her knowledge, they live with his parents, whom she believed were named Jay Sr. and Lynn Anderson.

DeLaRosa stated that she saw her daughter yesterday, Wednesday, June 22, 2016, when she came to her residence with her two children to take them swimming in Madison Park at the splash pad. DeLaRosa stated she drove them in her minivan to the park, where they stayed for close to two hours before returning to her residence. DeLaRosa stated Anderson was not with her and she has not physically seen him in the last week.

DeLaRosa stated her daughter left her residence in the 2006 Nissan Altima and she did not speak with her for the rest of the day. DeLaRosa stated her daughter had consent to have the vehicle but Anderson was not supposed to be driving the vehicle because she knows that he has no license and she did want to hold responsible for anything if he was driving the vehicle.

Report Officer

010978/JOHNSON, STEVEN S

Printed At

07/25/2016 03:50

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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

DRAFT

Reported Date  
06/28/2016

Nature of Call  
OJINVEST

Officer  
VILLARREAL, ERIK K

Supplement No  
0017

Administrative Information																		
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0017		Reported Date 06/28/2016		Reported Time 17:00		CAD Call No 161750406								
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)																
Location 9800 W GLENDALE AV						City WAUWATOSA		Rep Dist 833	District 4	Squad 430								
From Date 06/23/2016		From Time 03:07		Officer 007038/VILLARREAL, ERIK K														
Assignment METROPOLITAN INVESTIGATIONS DIVISION						Entered by 007038												
Assignment METROPOLITAN INVESTIGATIONS DIVISION						Confidential HOMICIDE	Prop Trans Stat Pending	Property? Yes										
Approving Officer 006709		Approval Date 06/28/2016		Approval Time 18:41:36														
<table border="1"> <thead> <tr> <th>Item</th> <th>Involvement</th> <th>Inv Date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>EVIDENCE</td> <td>06/28/2016</td> </tr> </tbody> </table>											Item	Involvement	Inv Date	1	EVIDENCE	06/28/2016		
Item	Involvement	Inv Date																
1	EVIDENCE	06/28/2016																
Description MPD Inventory #16022963-2																		
Type A	Cal OTHER	Article ATM	Brand RCPT	UCR Type OTHER	# Pieces 1	Rcv Location 3800 W LINCOLN AV												
Rcv City WMW		Rcv St WISCONSIN		Rep Dist 5907	Rcv Squad 220													
<table border="1"> <thead> <tr> <th>Item</th> <th>Involvement</th> <th>Inv Date</th> <th>In Custody?</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>EVIDENCE</td> <td>06/28/2016</td> <td>Yes</td> </tr> </tbody> </table>											Item	Involvement	Inv Date	In Custody?	2	EVIDENCE	06/28/2016	Yes
Item	Involvement	Inv Date	In Custody?															
2	EVIDENCE	06/28/2016	Yes															
Description MPD Inventory #16022963-1																		
Type A	Cal OTHER	Article BULLET	Brand FRAG	UCR Type OTHER	# Pieces 1	Rcv Location 3800 W LINCOLN AV												
Rcv City WMW		Rep Dist 5907	Rcv Squad 220															
Modus Operandi																		
Gang Act? No	Gang Name NONE		Crime Code(s) HOMICIDE															
Supplement																		

This report is written by Detective Erik VILLARREAL assigned to the Metropolitan Investigation Division, Cold Case Unit, dayshift.

On Tuesday June 28, 2016, while assigned to Squad 9541, I was instructed to have the suspect auto involved in the Wauwatosa Officer Involved Shooting processed for evidence (OIS #8). The incident occurred at 9800 W. Glendale Ave, on June 23, 2016. The 2006, black Nissan Altima 4-dr, WI Plates, 749-USD, Vin# 1N4AL11DX6C113910, was located in the "X building" at the City of Milwaukee Tow Lot. Squad 1721 Forensic Investigator Yvette BENITEZ met me at that location. Prior to handling the evidence, Tow Lot Officer, Joe ANDERER, had the vehicle moved to the "Z Building" to be processed. Forensic Investigator BENITEZ then video taped the vehicle in its original state and photographed the vehicle as well. BENITEZ later downloaded the video to a DVD, which was then submitted to the file. Forensic Investigator BENITEZ also recovered a blood sample and will file a supplement report regarding her investigation.

Prior to searching the vehicle, I conducted a preliminary check of the auto for visible ballistic evidence and or additional damage from the gunfire and located 3 circular dents / impressions on the upper part of the front passenger side door, just beneath the open window in addition to the broken rear driver side door window, and bullet holes in the driver side front seat headrest. It should be noted that there was a large quantity of dried blood

Report Officer 007038/VILLARREAL, ERIK K	Printed At 07/25/2016 03:50	Page 1 of 2
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**Incident Report  
MILWAUKEE POLICE DEPT**

**161750037  
DRAFT**

Supplement No  
0017

**Supplement**

on the front driver seat surrounded by blood spatter on the front inside doors, the roof, and the dashboard. As well as a dried pool of blood under the driver side front seat. Forensic Investigator BENITEZ took detailed photographs of the blood spatter. I also located and recovered a small bullet fragment on the front passenger seat and a "Transaction Record" (ATM receipt) from the front passenger door map holder. After the preliminary examination of the auto I conducted a thorough search of the entire vehicle for any other evidence but did not locate any.

Upon conferring with reports from the initial investigation, I learned that the officer fired his service weapon through the open front passenger side window on a slight angle towards the driver. Subsequently, I found 2 through and through bullet holes that passed through the front driver seat headrest. Using trajectory rods to display the bullet paths it was apparent that the 2 bullets traveled through the headrest and out through the rear drivers side door window, breaking the window. Additionally, according to the Medical Examiners report, the suspect, Jay L. ANDERSON (B/M 7/4/90), had 2 through and through gunshot wounds to his head from right to left also consistent with the Officer firing his service weapon from the front passenger side. Those 2 bullets would have also passed through the rear driver side door window as well. ANDERSON had the remaining 2-fired bullets recovered from his body during the autopsy. The 2 aforementioned bullets entered the passenger side of the driver headrest at the following locations:

Bullet 1 entered 3" high and exited the other side of the headrest at 1" high

Bullet 2 entered 8" high and exited the back of the headrest 8" high

The headrest was a rounded rectangular shape approximately 10" high by 9" wide.

At the conclusion of the examination of the suspect auto, I later placed the bullet fragment (#1) and the ATM slip (#2) on MPD Inventory #16022963. The ATM slip was a receipt from VK Petro 5208 N Teutonia Ave, for \$80.00 on June 21, 2016 at 5:57 am. This investigation is pending.

This report is submitted by Detective Erik VILLARREAL PS# 007038 LOC# 95

# Incident Report MILWAUKEE POLICE DEPT

161750037

Supplement No  
0018

2333 N. 49TH ST  
Milwaukee, WI 53210

Reported Date  
06/28/2016  
Nature of Call  
HOMICIDE  
Officer  
PANFIL, YVETTE P

(414) 935-7502

Administrative Information																		
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0018		Reported Date 06/28/2016		Reported Time 18:50		CAD Call No 161750406								
Status REPORT TO FOLLOW		Nature of Call MURDER, MANSLGHTR/NEGL MANSLGHTR/JUST HOMI																
Location 9800 W GLENDALE AV						City WAUWATOSA		Rep Dist 833	District 4	Squad 430								
From Date 06/23/2016	From Time 03:07	Officer 010235/PANFIL, YVETTE P																
Assignment INVESTIGATIVE MANAGEMENT DIVISION				Entered by 010235		Assignment INVESTIGATIVE MANAGEMENT DIVISION												
RMS Transfer Supplement Transfer Complete				Prop Trans Stat Pending		Property? Yes		Approving Officer 006985										
Approval Date 07/05/2016		Approval Time 09:18:06																
<table border="1"> <thead> <tr> <th>Item</th> <th>Involvement</th> <th>Invl Date</th> <th>In Custody?</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>EVIDENCE</td> <td>06/28/2016</td> <td>Yes</td> </tr> </tbody> </table>											Item	Involvement	Invl Date	In Custody?	1	EVIDENCE	06/28/2016	Yes
Item	Involvement	Invl Date	In Custody?															
1	EVIDENCE	06/28/2016	Yes															
Description blood from seat																		
Type A	Cat OTHER	Article SWABS	UCR Type OTHER	# Pieces 1	RMS Transfer Successful													
Modus Operandi																		
Gang Act? No	Gang Name NONE		Crime Code(s) HOMICIDE															
Supplement																		

This report is being written by Forensic Investigator Yvette Panfil assigned to the MPD's Forensic Section, day shift.

On Tuesday, June 28, 2016, at approximately 10:15 A.M., I, Squad 1721, was dispatched to a homicide investigation at the Milwaukee Tow Lot.

Squad 9541, Detective Erik Villarreal, was investigating and requested I photograph the auto involved, a black 4dr 2006 Nissan Altima with WI plates of 749-USD, video tape it and collect a blood sample.

Using sterile cotton swabs one dry, one moistened with distilled water, I collected a blood sample from the driver's seat of auto.

This sample was then placed on inventory #16022960.

This incident was assigned latent case #16-3649.

Using a Sony Camcorder I video taped the auto, burned the recording to DVD and turned it over to Detective Villarreal.

Using a Nikon D300 camera I also took 126 digital photographs.

Report Officer 010235/PANFIL, YVETTE P	Printed At 07/25/2016 03:50	Page 1 of 1
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0019

Reported Date  
06/29/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0019		Reported Date 06/29/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AVE				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010266/O'DAY, LUKE G			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 07/04/2016		Approval Time 18:06:31					
MISC INFO OIS 2016-8							
Modus Operandi							
Gang Act? No	Gang Name NONE						
Supplement							

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

On Friday, June 24, 2016, at about 9:50 AM, Police Lieutenant Joseph McLIN and I traveled to the Wauwatosa Police Department, 1700 N. 116th St., to meet with Wauwatosa PO Joseph MENSAH and his representative, Attorney of Law Jennifer HELLMER.

Lt. McLIN and I met with PO MENSAH and Atty HELLER in a conference room on the first floor. Additionally, Attorney Jaclyn SCHWARTZ (with HELLMER) and Union Representative Wauwatosa Detective John MILOTZKY were also present inside the room.

PO MENSAH identified himself as Joseph Anthony MENSAH (B/M 12-27-89), appointment date with Wauwatosa PD 1-3-15, payroll #6701. PO MENSAH stated he had prior law enforcement experience:

- 2009 - 2012 Reserves
- 2012 - 2013 Dane County Sheriff Office
- 2013 - 2014 UW-Madison Patrol Officer

PO MENSAH stated on Thursday, June 23, 2016, he worked Late Shift (11:00 PM - 7:24 AM; Wednesday night into Thursday morning), and was assigned to Squad 305, vehicle P224, as a one-person unit. He was assigned to the area that encompassed W. Burleigh St. to W. Capitol Dr., N. 92nd St. to N. 124th St. PO MENSAH stated was in full uniform that night: dark blue shirt and pants, ballistic vest inside a blue carrier over the shirt, a shield patch on the left breast, and was equipped with a taser, expandable baton, 2 set of handcuffs, Extreme LED flashlight, department issued handgun (equipped with a tactical light), and 3 magazines.

PO MENSAH stated he was on routine patrol and headed to Madison Park to do a "park check" around 2:50 - 3:00 AM. He entered the park by traveling eastbound on W. Glendale Ave. He stated the park was extremely dark without any lighting, except for a light mounted on the exterior of a multi-unit residential complex (located on the east side of the park at 4611 N. 92nd St.).

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 1 of 3
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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0019

**Supplement**

PO MENSAH observed a single vehicle parked in the center of the lot, facing westbound. (He believed the park was closed after 12:00 AM.) He approached the vehicle, parking about 1-2 car lengths in front of it, and activated his take-down lights. Prior to activating the lights, PO MENSAH stated he believed he had observed some movement inside the vehicle by the driver. Once the take-down lights were on, however, he did not observe any further movement.

PO MENSAH advised Dispatch as he prepared to exit his squad, "305. Occupied auto. Madison Park." He then scanned the rest of the area, looking for additional vehicles or subjects on foot. He then focused on the vehicle as he approached it on foot. PO MENSAH believed the vehicle was a black Nissan Maxima, but was not certain.

PO MENSAH stated he approached the vehicle from the passenger side and observed the passenger front window was rolled up. He used a flashlight to illuminate the inside to check for additional occupants; he did not observe anyone. PO MENSAH stated as he focused the light on the driver, he observed he was "breathing fast" as if nervous or scared. He described him as lying back against the car seat. PO MENSAH felt the driver was faking being asleep.

PO MENSAH tapped the passenger front window and announced, "Police Officer MENSAH with the Wauwatosa Police Department" but did not get a response. After tapping a few more times, the driver "woke up" and looked at PO MENSAH. He scanned his uniform with his eyes and then looked down toward the front passenger seat. PO MENSAH stated the driver looked visibly annoyed and shrugged his shoulders. He then closed his eyes and leaned back in the seat again.

PO MENSAH stated he called out again, "Police Officer MENSAH with the Wauwatosa Police Department. Wake up. Gotta talk to you." After a couple of times repeating himself, the driver "woke up again," turned the key in the ignition and rolled down the passenger front window. (PO MENSAH did not recall if the vehicle started.) PO MENSAH asked if the driver had an ID or a Driver License. The driver replied, "No."

PO MENSAH stated he had been standing about an arm length away from the passenger front door as he addressed the driver. He observed the driver make several glances over to the passenger front seat then back up at him. On one of the occasions, the driver looked at PO MENSAH's chest (badge area) and then back down toward the seat. PO MENSAH asked the driver if he had anything that would identify his name. The driver replied, "No."

PO MENSAH became concerned that the driver had made several separate and distinct glances toward the passenger front seat. He stepped forward and looked into the interior of the vehicle. PO MENSAH observed a black and silver semiautomatic handgun, with an extended magazine inserted in the weapon, on the front seat. (He did not remember seeing anything else on the seat or in which direction the barrel was facing.)

PO MENSAH stated he was a "hazy" with the exact chain of events moving forward, but he believed he immediately un-holstered his weapon, kept it close to his body, and pointed the barrel down to the ground. At the same time, he ordered, "I see the gun! Keep your hands where I can see them!"

PO MENSAH stated the driver initially complied with his order and placed his hands in the air about chest / shoulder height. However, he suddenly reached toward the seat with his right hand while looking at the weapon (on the seat). PO MENSAH stated he immediately moved his weapon to the high ready position (weapon at eye level, arm extended from his body) and ordered, "Hands up!" At about the same time, he radioed Dispatch, "305. He has a gun! Step it up!" (He believed he heard something on the radio, "All squads ..." but didn't remember anything further.) The driver immediately placed both hands in the air, stating, "What? There's nothing there! It's nothing!" (PO MENSAH stated it appeared the driver was annoyed with him and that the officer was bothering him.) PO MENSAH repeated, "I see the gun! Don't reach for it!"

PO MENSAH stated the driver again reached toward the front passenger seat. He (PO MENSAH) ordered, "Stop reaching for the weapon!" The driver pulled back and said, "It's nothing!" PO MENSAH stated the driver made at least 4 separate movements with his right arm toward the front passenger seat. Each time PO MENSAH ordered him to stop, and the driver returned both of his hands into the air.

PO MENSAH stated the last time the driver made a movement, instead of just his right arm moving toward the

Report Officer  
010266/O'DAY, LUKE G

Printed At  
07/25/2016 03:50

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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0019

**Supplement**

gun on the seat, his whole body lunged toward it. PO MENSAH yelled, "Keep your hands up!" The driver did not comply and PO MENSAH believed he discharged his weapon approximately 3-4 times.

PO MENSAH stated he took a couple of steps backward as he fired. As he backed away, he did not know if the driver had taken possession of the weapon. PO MENSAH stated he felt exposed because he was in an open parking lot without any cover to place between him and the driver (vehicles, trees, etc.). Additionally, he could not move laterally because the driver would have protection from the vehicle's engine block, which would be in between them.

PO MENSAH stated immediately after discharging his weapon, he pressed the button on his squad mic that activated the camera. (He explained the video goes back 20 seconds without audio.)

PO MENSAH maintained a distance from the vehicle as he waited for backup. He stated the park was huge and extremely dark. He further stated he couldn't see anything because of the take-down lights of his squad. He believed Wauwatosa Officers Ralph SALYERS and Stephen MILLS were the first to arrive on scene. The three of them cleared the vehicle for additional occupants and then PO MENSAH removed himself from the immediate area. At this point, he described himself as "kinda out of it" as a result of the incident.

PO MENSAH stated, at some point, Dispatch asked for his location inside Madison Park. He believed he responded "in the middle" and that the "Fire (Fire Department) can stage on 100th St."

PO MENSAH stated Wauwatosa Police Lieutenant Gary GABRISH was the first supervisor on scene. He (PO MENSAH) provided a brief public safety statement to him. Squad 302, Wauwatosa PO Bryan WADE, was assigned to sit with PO MENSAH. He believed they sat inside WADE's vehicle during the investigation.

I asked PO MENSAH specifically why did he discharge his weapon. He responded that he discharged his weapon because he knew the firearm was on the passenger front seat of the vehicle. He stated he ordered and pleaded with the driver numerous times to not reach for the weapon. He (PO MENSAH) shot because the driver reached for the weapon and he believed the driver was going to use it against him; he knew the potential for the amount of injury the weapon (on the seat) could cause. He stopped firing because he believed the threat had been neutralized / incapacitated. PO MENSAH believed he saw the rounds go into the driver's body. He also observed him slump toward the driver front door; he did not know if the driver had been successful in possessing the weapon on his front seat.

PO MENSAH described the driver as a black male, 25-26 yoa, long dreads / braids. He was unable to describe the driver's clothing. He believed he was inside a black Nissan Maxima but was not sure. He did not recall any prior contact with either the driver or the vehicle.

PO MENSAH stated previous checks in the Madison Park (by himself and other officers) had resulted in recovery of illegal drugs, stolen cars, foot pursuits, etc. When he observed the vehicle inside the lot, PO MENSAH's intention was to simply learn why the driver was there after closing hours. He stated he had numerous contacts with vehicles and occupants after closing hours, prior to that night, and had never before issued a citation. He would learn the reason for being inside the park and direct the occupants to leave.

PO MENSAH stated he had conducted an earlier park check around 12:30 AM. He had encountered 2 vehicles after closing hours. When he turned his squad lights on, one vehicle immediately exited the park. A subject walked up to the second vehicle and PO MENSAH instructed him to leave the park. The subject entered his vehicle and complied. Neither of the two vehicles matched the vehicle that was involved in this incident.

This concluded PO MENSAH's statement and the interview was terminated at 10:37 AM.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0020

Reported Date  
06/29/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0020		Reported Date 06/29/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AVE				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010266/O'DAY, LUKE G			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 07/04/2016		Approval Time 18:07:01					
MISC INFO OIS 2016-8							
Modus Operandi							
Gang Act? No	Gang Name NONE						
Supplement							

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

On Monday, June 27, 2016, I was directed by Police Lieutenant Paul KAVANAGH to contact the immediate family of Jay ANDERSON JR. (B/M 7-4-90) and provide them an opportunity to view a portion of the squad video that depicted the incident. This was offered as a courtesy to them and would be done prior to the case being presented to the District Attorney's Office.

On Tuesday, June 28, 2016, at about 8:00 AM, I spoke with Attorney Yoa O. DINIZULU who informed me and the ANDERSON family had retained his firm and that they would like to view the video. We arranged a time for 3 family members to accompany Atty. DINIZULU to the Police Administration Building (PAB).

At about 11:40 AM, Lt. KAVANAGH, Police Lieutenant Joseph ERWIN, and I met with Atty. DINIZULU, ANDERSONS's parents, Jay L. ANDERSON Sr. (B/M 3-8-67) and Linda M. ANDERSON (B/F 12-29-65), his aunt Jacqueline D. ANDERSON (B/F 10-28-64), and his fiancée Starkeisha M. DELAROSA (B/F 2-19-89) on the 6th floor of the PAB. Jay Sr., Jacqueline, and Starkeisha accompanied us to the Line-Up room to show the video.

I played approximately 20 seconds of the video obtained from PO Joe MENSAH's squad car. The family asked me to play it one more time, which I did.

I explained that the Metropolitan Investigations Division was handling the investigation, and that upon completion, the reports would be handed over to the District Attorney's office.

Only the three members of the family were provided the opportunity to view the video. They were not permitted to bring any recording devices into the room.

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Incident Report  
MILWAUKEE POLICE DEPT

161750037  
DRAFT

Supplement No  
0020

Supplement

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

Supplement No  
0021

DRAFT

Reported Date  
06/29/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, STEVEN S

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0021		Reported Date 06/29/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AV				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010978/JOHNSON, STEVEN S			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010978			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 07/01/2016		Approval Time 18:55:33					
Media/Operational							
Gang Act? No	Gang Name NONE		Crime Code(s) HOMICIDE				
Supplement							

This report is written by Detective Steven S. Johnson, assigned to Metropolitan Division, Homicide Unit (Late Shift).

On Thursday, June 23, 2016, at 4:05 AM, I, along with other members of the Metropolitan Division, was directed by Sqd 9509, Lt. Joseph McLIN, to respond to the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (CAD #16-175-0406).

Upon arrival, Wauwatosa PD, Sqd 370, Lt. Gary GABRISH, briefed us at 3:03 AM, Sqd 305, PO Joseph MENSAH, had conducted a routine park check when he encountered a subject inside a parked vehicle. He found the subject incapacitated and attempted to wake him up by knocking on the window. The subject woke up, ignored his commands, and reached for a handgun on the front passenger seat. Fearing for his safety, PO MENSAH fired into the vehicle. The subject sustained several gunshot wounds and ultimately became deceased at Froedtert Memorial Hospital.

I was instructed by Lt. Joseph McLin to conduct an interview with the City of Wauwatosa Fire Department personnel that responded to the scene of this incident. I identified one of the responding Wauwatosa Fire Fighters as Patrick C. Quinlevan W/M 10-13-59, at which time I conducted this interview with Quinlevan as he was seated in my unmarked squad car parked in the parking lot of Madison Park, 9800 W. Glendale Av..

\*\*\*\*Interview of Patrick Quinlevan\*\*\*\*

Quinlevan stated that he is currently employed by the City of Wauwatosa Fire Department as an Motor Pump Operator, where he has been employed for twenty six years. Quinlevan stated that he is currently assigned to Engine #52, Crew #3, which is located at 4187 N. Mayfair Rd.. Quinlevan stated that on today's date, Thursday, June 23, 2016, he worked Engine #52 along with Captain Scott Friedrich and Fire Fighter Christopher Schultz for their tour of duty hours of 8:00am - 8:00pm.

Quinlevan stated that at approximately 3:05am they were dispatched to "Assist PD" call at 9800 W. Glendale Av.. Quinlevan stated Wauwatosa Fire Department Med #52, which is housed in the same location, responded along with them. Quinlevan identified the Wauwatosa Fire Department personal on Med #52 as Lt. Brian O'Day and Fire Fighter / Paramedic Dave Tipple.

Quinlevan stated as they were en route to the location, the service call was updated to a "Gun shot wound" and

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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0021

**Supplement**

they were advised to stage until the scene was safe. Quinlevan, who was operating the fire truck, advised they arrived on scene several minutes later and staged briefly on the access road from W. Glendale Av. that lead into the parking lot of Madison Park. Quinlevan stated after approximately thirty seconds, they were advised the scene was secured and they followed a uniformed marked squad and the Med unit into the parking lot.

Quinlevan stated upon entering the parking lot, he observed at least four uniformed marked squad cars in the parking lot, and one dark colored vehicle parked approximately twenty feet from the squad cars. Quinlevan stated at least two of the uniformed marked squad cars were parked facing the vehicle and were parked to the west of the vehicle. Quinlevan stated he observed several City of Wauwatosa Police Officers removing a subject out of a drivers side door and he pulled to the south of the vehicles and used the trucks emergency flood lights, which are located on the side of the truck, to illuminate the parking lot.

Quinlevan stated upon exiting the truck he grabbed the O2 bag to assist with medical treatment for the subject. Quinlevan stated the Wauwatosa Police Officers had fully removed the person from the drivers side of the vehicle and placed the subject on the ground. Quinlevan was able to describe the person he observed laying on the ground as a B/M late 20's, 5'9", 160 lbs, medium build, dread lock hairstyle to shoulders wearing a lighter color short sleeve polo shirt, unknown pants, with at least one gun shot wound to the right cheek. Quinlevan stated the subjects head was facing north and feet facing south.

Quinlevan stated Lt. O'Day used the portable defibrillator to check for an EKG reading, at which time they were able to get a faint reading. Quinlevan stated as a result, the decision was made to immediately bring the subject into the Med unit. Quinlevan stated upon being loaded into Med #52, he began to hook up a bag of saline for Fire Fighter /Paramedic Tipple, who was starting an IV line in the subjects left arm.

Quinlevan stated as this was happening, Lt. O'Day was giving the subject chest compressions and Schultz was using the bag for rescue breaths. Quinlevan stated after several minutes, he switched positions with Lt. O'Day and performed chest compressions for several minutes. Quinlevan stated he switched positions wit Captain Friedrich, who continued chest compressions for several minutes.

Quinlevan stated they checked for a pulse on the subject, at which time Schultz was able to get a pulse from the subject, along with a blood pressure reading that he believed was possibly 104 / 60. Quinlevan stated as a result of the subject having a faint pulse, the decision was made to transport the subject to Froedtert Hospital. Quinlevan stated he exited the Med unit and was going to follow them to Froedtert Hospital but was asked by Lt. Gabrish of the Wauwatosa PD to remain on scene and provide light for the investigation due to the fact the incident happened during the hours of darkness.

Quinlevan stated he remained on scene to provide light for the police department and did not have any other responsibilities for the remainder of the investigation prior to speaking with myself. Quinlevan stated he only observed one gunshot wound to the subjects right upper cheek and observed a large amount of blood on the subject. Quinlevan stated he did not look inside the vehicle when they approached the subject laying on the ground next to the vehicle and he did not observe any firearms on the ground next to the vehicle. Quinlevan could provide no additional information regarding this incident.



# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0022

Reported Date  
06/29/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0022		Reported Date 06/29/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AVE				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010266/O'DAY, LUKE G			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer 006709	
Approval Date 07/04/2016		Approval Time 18:07:39					
MISC INFO OIS 2016-8							
Modus Operandi							
Gang Act? No	Gang Name NONE						
Supplement							

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

On Wednesday, June 29, 2016, I reviewed squad car video obtained from the Wauwatosa Police Department. It had been downloaded from Wauwatosa PO Joseph MENSAH's squad camera. I located the video in Mfile folder *Police Related*. Folder *OIS 08-2016Wauwatosa* was located inside. Through a series of folders, I located the player AVViewer. Through the viewer, I was able to access file *0307251.av*.

The video was from 3:06:55 AM - 5:18:43 AM.

I made the following observations:

The video depicts the view of an empty parking lot from the windshield of PO MENSAH's squad, looking east. Two lights are visible in the distance to the east.. A black vehicle is positioned possibly 2-3 car lengths in front of the squad, facing the camera. PO MENSAH is wearing a dark blue uniform and is standing outside the passenger front door of the vehicle. His right arm is extended toward the passenger front window as if he was pointing a weapon at the driver (weapon is not observed). A subject is sitting in the driver seat and his right arm can be observed in the air.

The numbers "P2245@5 <mailto:P2245@5>" depicts the squad number (P2245) in the lower left corner. The date "06/23/2016" and time "03:06:55" can be viewed underneath the squad information. Displayed underneath the recording, was a box indicating the "Lights" and "Mic" were activated.

03:06:55 - The video began without audio. The driver was moving around with both hands in the air. A circle of light could be observed at PO MENSAH's feet, indicating his flashlight was on.

03:06:59 - PO MENSAH's left hand dropped from his weapon to the area of his duty belt on the left side. The circle of light disappeared, indicating he had holstered his flashlight. The driver's right hand was moving side to side. PO MENSAH's left hand returned to his weapon.

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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0022

**Supplement**

03:12:26 - The second officer walked around the vehicle, from behind, to the driver side and then both officers disengaged from the scene toward the direction of the squad camera.

03:12:28 - PO MENSAH notified Dispatch that the scene was inside Madison Park parking lot. He walked away west as the two clearing officers disengaged.

03:12:31 - As the officers disengage, I observed what appeared to be a handgun in the left hand of the second officer as he walked off the screen.

03:13:18 - Conversation off screen with a male subject and PO MENSAH: "...there's going to be one guy so. There are no runners, no other passengers?" PO MENSAH replied, "I don't why he's here by himself. I have no idea if anyone is here out in the park. I have no clue."

03:13:31 - Unknown officer walks over to the driver side of the vehicle and appears to be checking on the driver. "Let's see if we can do something for this guy." Two additional officers walk over and attempt medical aid. One of the officers brought with him a medical kit.

03:14:05 - Lt. Gary GABRISH asked PO MENSAH, "Ok, so who shot who?" PO MENSAH replied, "I did."

03:15:25 - WFD arrived on scene. Officers removed the driver from the vehicle to attempt further medical attention. He was then transported from the scene.

03:16:29 - PO MENSAH gave the following account to Lt. GABRISH.  
Lt. GABRISH - "Did you have this recorded by any chance?"

PO MENSAH - "I tried to hit the button a couple of times." "Just a regular occupied auto. I went around to the passenger seat. Knock and knock and knock. Nothing and nothing. Looked down, just doing my search, whatever, and I see a gun there. Pop it out, "Hey, is that a gun? Step it up." (to Dispatch) Then whole time, kept doing this, kept doing this..." (Driver) "I'm not reaching for it, it's nothing there, nothing there." (PO MENSAH) "Stop there's the gun. Right there."

Lt. GABRISH - "Is he up?"

PO MENSAH - "Yeah, he's up. Coherent and everything. Put his hands up... as soon as I woke him up, 'Wauwatosa Police, Wauwatosa Police. Saw the gun there. Get your hands up, hands up.' Put his hands up. Kept saying, 'Keep your hands up, keep your hands up. And lets leave it at that.' And he (Driver) kept reaching for it. Kept reaching for it. And the last thing was he lunged forward again."

PO MENSAH - "Silver semi automatic on the passenger seat.

Lt. GABRISH - "Did you announce police?"

PO MENSAH - "Oh yeah. He knew I was a cop. I kept saying it over and over. 'Wauwatosa Police.' 'Wauwatosa Police.' He looked right over at my name tag. Right at my uniform. Kept looking at it. (Driver stated) "There's nothing there. Nothing there." (PO MENSAH stated) "Theres a gun right there. I'm seeing it."

Lt. GABRISH - "How many rounds did you shoot?"

PO MENSAH - " Maybe 4 or 5."

Lt. GABRISH - "Did you change any magazines out?"

PO MENSAH - "No."

Lt. GABRISH notified PO MENSAH he would change with him (implying his weapon). "Did they do this stuff with you last time?" PO MENSAH replied, "I kept everything. Everything that I have right now, they want photos of exactly how I look right now. And then they take all that stuff at the station. (Lt. GABRISH did not change out PO MENSAH's weapon.)

Lt. GABRISH advised him to stay with Officer WADE.

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 3 of 4
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Incident Report  
MILWAUKEE POLICE DEPT

161750037  
DRAFT

Supplement No  
0022

**Supplement**

03:18:58 - "I tried to hit record. Kept hitting record over and over but it wouldn't turn on."

03:20:18 - Conversation with PO WADE:

PO WADE, "Was he reaching for a gun or what?"

PO MENSAH, "Yeah."

PO WADE, "So he was like passed out or what?"

PO MENSAH, "He was faking it."

I watched the remaining video. There was nothing further of evidentiary value.

**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0022

**Supplement**

03:07:13 - I observed movement by the driver and the right hand could be seen extending toward the passenger front seat. It disappeared for a fraction of a second, then reappeared above the dashboard in front of the passenger front seat. The right hand then immediately dropped from view in front of the passenger front seat..

03:07:15 - PO MENSAH immediately discharged his weapon 6 times as he disengaged, walking backwards (north), disappearing from camera view.

03:07:23 - Audio starts up.

03:07:27 - Dispatch: "305. You ok?"

03:07:31 - PO MENSAH: "305. I'm Ok. Suspect down."  
Dispatch: "Dispatch copy. Suspect down."

03:07:45 - PO MENSAH could be observed approximately 20 feet from the vehicle. His weapon was trained on the vehicle and it appeared he was attempting to check on the status of the driver from a distance. PO MENSAH can be heard taking deep breaths heavily over the radio.

03:08:16 - PO MENSAH: "305. I'm okay. Suspect down."

03:08:21 - Unknown officer came over the air asking if the fire department could come onto the scene. PO MENSAH instructs the officer, "305. You can have fire stage on 100th St." Dispatch asked if other squads could come into the lot. He replied, "Affirmative for now. I have no idea who else is in the park. It's just me and him right now."

03:08:55 - Dispatch asked if there was anyone else in the car. PO MENSAH replied, "Negative. Just me and him." Sirens could be heard in the background of responding officers.

03:09:40 - The lights of a responding squad appear to the right (south) of the camera.

03:09:41 - PO MENSAH can be heard off camera stating to the responding squad, "I have no idea if there is anyone else in the park. I'm fine."

03:09:55 - Unknown officer over the air asked (PO MENSAH) 305 how was it looking, was he okay, and to confirm if shots had been fired. PO MENSAH responded, "Affirmative. Shots fired. Suspect down."

03:10:33 - Unknown officer can be heard asking if "they were going to go up on it (vehicle)?" A different officer stated, "When we get a third squad we will go up on it (vehicle)." PO MENSAH stated, "He's alone by himself."

03:10:42 - PO MENSAH stated, "The firearm is right next to him on the passenger seat."

03:10:53 - 3 Wauwatosa Police Officers approached the driver side of the vehicle. PO MENSAH was the third officer, a step behind the first two.

03:11:15 - One of the officers opened the driver door and positioned himself at the door. The second officer continued to check the rest of the vehicle for additional occupants.

03:11:29 - PO MENSAH disengaged from assisting in clearing the vehicle and walked away westbound toward the direction of his squad.

03:11:55 - Squad 318 radioed over the air, "318. I have a 30 something year old male black. He's not breathing at this time." Dispatch responded, "10-4. I have Fire (Wauwatosa Fire Department) staging."

03:11:57 - Wauwatosa squads arrive to set up a perimeter on the east side of the parking lot.

03:12:02 - PO MENSAH reappeared on the passenger side of the vehicle but remained about 10 feet away.

03:12:05 - One of the officers (possibly the one at the driver door) asks - "You got it or no?"

03:12:09 - The same officer can be heard stating, "... go on and grab it out of there."  
The second officer reached in through the passenger front window and appeared to remove an item from the front passenger seat.

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 2 of 4
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

DRAFT

Reported Date  
06/30/2016  
Nature of Call  
OJINVEST

Officer  
GADZALINSKI, MATTHEW M

Supplement No  
0023

## Administrative Information

Agency MILWAUKEE POLICE DEPT	Incident No 161750037	Supplement No 0023	Reported Date 06/30/2016	Reported Time 00:50	CAD Call No 161750406
Status REPORT TO FOLLOW	Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)				
Location 9800 W GLENDALE AV			City WAUWATOSA	Rep Dist 833	District 4
From Date 06/23/2016	From Time 03:07	Officer 017783/GADZALINSKI, MATTHEW M			
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Entered by 017783		
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Confidential HOMICIDE	Property? None	Approving Officer 006709
Approval Date 06/30/2016		Approval Time 15:04:35			

## Supplement

This report is submitted by Detective Matthew GADZALINSKI, assigned to the Metropolitan Investigations Division, Homicide Unit. On 06-29-16, I recovered items from the Milwaukee Police Department, evidence drying room, which had I had placed inside on 06-23-16. Those items were initially recovered regarding the shooting death of Jay L ANDERSON (B/M 07-04-90,) which had taken place on 06-23-16 inside of Madison Park, 9800 W Glendale Ave, OIS 2016-8.

Those items were annotated as Item(s) # 4, 5, and 7, on MPD inventory # 16-022217. Once they were removed from the drying room, I had Forensic Investigator James PETERSON (Squad 1921,) photograph the items after they were laid out. This allowed for a better view of the probable bullet hole in the shirt that had been recovered. I then packaged the items for storage.

END OF REPORT.....

Report Officer 017783/GADZALINSKI, MATTHEW M	Printed At 07/25/2016 03:50	Page 1 of 1
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

Supplement No  
0024

DRAFT

Reported Date  
07/02/2016

Nature of Call  
OJINVEST

Officer  
JOHNSON, NICHOLAS J

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0024		Reported Date 07/02/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)		Reported Time 04:53		CAD Call No 161750406	
Location 9800 W GLENDALE AVE				City MILWAUKEE		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 016252/JOHNSON, NICHOLAS J		Rep Dist 833	
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 016252			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Prop Trans Stat Pending	Property? Yes	
Approving Officer 006709		Approval Date 07/04/2016		Approval Time 18:09:29			
Modus Operandi							
Gang Act? No		Gang Name NONE					
Supplement							

This report was written by Detective Nicholas JOHNSON, assigned to the Metropolitan Investigations Division-Homicide Unit, Late Shift.

On Thursday, June 23rd 2016, at approximately 3:59am, I was instructed by Lieutenant Joseph McLIN to respond to an Officer Involved Shooting that occurred at Madison Park, located at 9800 W. Glendale Ave., in the City of Wauwatosa, Wisconsin. I was further advised that the Officer involved was from the City of Wauwatosa Police Department and that our agency would be conducting the investigation.

On scene, myself and other members of the Metropolitan Investigations Division were briefed by Lieutenant Gary GABRISH from the Wauwatosa P.D. as to the status and nature of the incident. Lt. GABRISH informed us that at approximately 3:03am, Police Officer Joseph MENSAH was conducting an "After Hour Park Check" at Madison Park and observed a vehicle in the parking lot with one occupant in the drivers seat. He then informed us that Officer MENSAH observed the subject in the vehicle reach for a firearm and fearing for his safety, Police Officer MENSAH fired his duty weapon striking the subject multiple times. Lt. GABRISH then stated that the subject was transported to Froedtert Hospital where he was pronounced deceased.

Lt. GABRISH then identified the deceased as Jay L. ANDERSON (B/M, 07/04/1990).

After being briefed by Lt. GABRISH, Lt. McLIN informed me that I would be conducting the scene portion of the investigation.

The following Law Enforcement personnel were on scene during the investigation:

## Milwaukee Police Department

Squad 9509-Lt. Joseph McLIN  
Squad 9536-Det. Matthew GADZALINSKI  
Squad 9537-Det. Steven JOHNSON  
Squad 9539-Det. Troy PORTER  
Squad 9540-Det. Nicholas JOHNSON  
Squad 9559-Det. Luke O'DAY  
Squad 1921-Forensic Investigator James PETERSON  
Squad 1930-Forensic Investigator Lee VEDBRAATEN

Report Officer 016252/JOHNSON, NICHOLAS J	Printed At 07/25/2016 03:50	Page 1 of 5
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**Incident Report  
MILWAUKEE POLICE DEPT**

**161750037  
DRAFT**

Supplement No  
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Squad 4123-Police Officer Robert MOORE

Wauwatosa Police Department

Lt. Gary GABRISH  
Police Officer Joseph MENSHA  
Police Officer Brian WADE  
Police Officer Ralph SALYERS  
Police Officer Stephen MILLS  
Police Officer Joseph WANG  
Police Officer Tyler L'ALLIER  
Police Officer Andrew FLORYANCE

The Following members from the Wauwatosa Fire Department were scene:

ENGINE 52

Captain Scott FRIEDRICK  
MPO Patrick QUINLEVAN  
Fire Fighter Christopher SCHULTZ

MED UNIT 52

Lieutenant Brian O'DAY  
Driver/Fire Fighter David TIPPEL

BATTALION 5

Deputy Chief Brent LEE

During the investigation, Medical Investigator Jason RUDELICH from the Milwaukee County Medical Examiners Office also responded to the scene.

SCENE DESCRIPTION

The location of the incident occurred at the Milwaukee County Madison Park, which is located at 9800 W. Glendale Ave., Wauwatosa, Wisconsin.

The park is located between N. 92nd St. and N. 100th St. to the east and west and between W. Hampton Ave. and W. Ruby Ave. to the north and south. The only accessible roadway to the parking lot of the park is W. Glendale Ave. from N. 100th St.

The incident occurred in the parking lot of the park. This is the only parking lot and is accessible from W. Glendale Ave. To the north of the parking lot are tennis courts and basketball courts. To the northwest of the parking lot is the pavilion. That is accessible from a path in the northwest corner of the parking lot. To the West of the parking lot is a volleyball court and Madison Elementary School. To the south is a large field to play soccer. To the east of the parking lot is a Service Yard/Maintenance Garage. Directly east of the garage is the Luther Manor Retirement Community.

The only lighting in the parking lot is a single light that is on the west side of the Service Yard/Maintenance Garage. No surveillance cameras are located within the park, however there are surveillance cameras on the exterior of Madison Elementary School.

The length of the parking lot from North to South Measures 224 feet and 8 inches. The length of the parking lot from East to West measures 358 feet and 4 inches.

During the investigation I took note of 4 vehicles that were in the immediate scene where the incident occurred.

The first vehicle is the deceased's vehicle which was a 2006 Black 4-Door Nissan Altima 2.5S with Wisconsin Registration Plate number 749-USD and Vin # 1N4AL11DX6C113910. The vehicle did not have a front license plate. The vehicle was parked with the front facing to the west in a slight southern angle. I did observe that the front driver door, rear driver side door and front passenger side door were open. I further observed that the front passenger door window was in the down position and that the rear driver side door was broken. I further smelled

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**Incident Report  
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**Supplement**

a strong odor of marijuana in the vehicle. I did not observe any bullet holes on the exterior of the vehicle. I did notice that there was a significant amount of blood on the interior of the vehicle and on the ground next to the front driver side door. I did note that there was \$8.00 (1x \$5.00 bill and 3x \$1.00 bills) in US currency on the front passenger seat of the vehicle. The money was collected and placed on MPD Inventory # 16022241 as safekeeping. This vehicle was later towed to the City of Milwaukee Tow Lot Z-Building under Evidence Tow # 1641003 which was followed by MPD Squad 4123 (Police Officer Robert MOORE).

The second vehicle of note was the patrol squad being operated by Police Officer MENSAH, Patrol Car # P224. The vehicle was a 2015 Marked black Wauwatosa Police Ford Explorer Police Interceptor with operating red and blue police lights. This vehicle was parked to the west of the Nissan Altima, and was facing a northeast direction. The Plate number is E5578 and Vin # 1FM5K8AR4FGC52132. I did observe that the front driver door of this vehicle was still open as well as the rear tailgate.

Vehicle #3 was another Wauwatosa Police Vehicle (Car # P222) that was parked just north of where Police Officer MENSAH parked his squad. This vehicle is a 2015 Ford Taurus Police Interceptor 4-door Black in color Sedan marked Police Vehicle with operating Red and Blue police lights. The plate number is E5577 and Vin # 1FAHP2MKXFG159815. This vehicle was not part of the incident, however was one of the first responding squads on the scene. The vehicle was also parked facing a northeast direction

Vehicle #4 was another Wauwatosa Police Vehicle (Car # P219) that was parked just south of where Police Officer MENSAH parked his squad. This vehicle is a 2015 Ford Explorer Police Interceptor 4-Door black in color SUV marked Police Vehicle with operating Red and Blue police lights. The plate number is E5559 and Vin# 1FM5K8AR4FGC52129. This vehicle was not part of the incident, however was one of the first responding squads on the scene. The vehicle was also parked facing a northeast direction.

For measuring the evidence as well as the deceased's vehicle and Police Officer MENSAH's vehicle, I used a square sewer grate that was located in the parking lot as my reference point. The sewer grate measured 2 feet 4 inches x 2 feet 2 inches. The sewer grate measured 99 feet south from the north side of the parking lot and 108 feet and 10 inches from the east side of the parking lot.

I did measure the deceased's vehicle in relation to the reference point. The passenger side rear tire measured 21 feet and 8 inches West and 7 inches South of the reference point. The Front passenger tire measured 30 feet and 7 inches West and 11 inches South of the reference point. The rear drivers side tire measured 20 feet and 4 inches West and 5 feet 8 inches south of the reference point. The front drivers side tire measured 29 feet and 2 inches West and 6 feet and 9 inches South of the reference point.

I did measure Police Officer MENSAH's vehicle in relation to the reference point. The passenger side rear tire measured 69 feet and 8 inches West and 23 feet and 10 inches South of the reference point. The front passengers side tire measured 60 feet and 9 inches West and 20 feet and 1 inch South of the reference point. The rear drivers side tire measured 71 feet and 1 inch West and 17 feet and 5 inches South of the reference point. The front drivers side tire measured 62 feet and 6 inches West and 14 feet and 4 inches South of the reference point.

The distance from the front center bumper of the deceased's vehicle to the front center bumper of Police Officer MENSAH's squad car measured 26 feet and 2 inches.

The two other Wauwatosa Police Squads were not measured, as they were not part of the initial incident.

I did measure the sole light source that was observed on the utility/maintenance garage that is just east of the parking lot. The light measured 118 feet and 1 inch East and 11 feet and 6 inches South of the reference point.

**EVIDENCE**

During the investigation I observed and took note of several pieces of evidence. The items of evidence were marked with Yellow Police Markers, measured from the same reference point, and later placed on MPD Inventory # 16022240.

The items are as follows:

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**161750037  
DRAFT**

Supplement No  
0024

**Supplement**

- Yellow evidence Marker #1 (Inventory 16022240, Item #1)-Silver .40 caliber Federal S & W cartridge casing. Measured 36 feet and 4 inches West/ 3 feet and 2 inches North.
- Yellow evidence Marker #2 (Inventory 16022240, Item #2)-Silver .40 caliber Federal S & W cartridge casing. Measured 37 feet and 2 inches West/ 6 feet and 0 inches North.
- Yellow evidence Marker #3 (Inventory 16022240, Item #3)-Silver .40 caliber Federal S & W cartridge casing. Measured 34 feet and 6 inches West/ 6 feet and 7 inches North.
- Yellow evidence Marker #4 (Inventory 16022240, Item #4)-Silver .40 caliber Federal S & W cartridge casing. Measured 32 feet and 11 inches West/ 6 feet and 0 inches North.
- Yellow evidence Marker #5 (Inventory 16022240, Item #5)-Silver .40 caliber Federal S & W cartridge casing. Measured 35 feet and 8 inches West/ 9 feet and 1 inch North.
- Yellow evidence Marker #6 (Inventory 16022240, Item #6)-Silver .40 caliber Federal S & W cartridge casing. Measured 26 feet and 4 inches West/ 13 feet and 9 inches North.
- Yellow evidence Marker #7 (Inventory 16022240, Item #7)-White towel with blood stains. Measured 32 feet and 1 inch West/ 9 feet and 9 inches South.
- Yellow evidence Marker #8 (Inventory 16022240, Item #8)-Gold and Diamond praying hands pendent/charm. Measured 24 feet and 8 inches West/ 10 feet and 8 inches South.
- Yellow evidence Marker #9 (Inventory 16022240, Item #9)-Deformed copper jacketed projectile. Measured 35 feet and 1 inch East/ 70 feet and 11 inches South.

The following items were also recovered and placed on MPD Inventory # 16022240 during the investigation, however they were not measured. The items and recovery locations are as follows:

- Yellow Evidence Marker #10 (Inventory 16022240, Item #10)-White "Blu" brand touch screen cell phone. Item recovered from the front passenger seat of the deceased's vehicle. The item was recovered from the vehicle so that it would not get lost or damaged during the transport. Serial No. G1507283030968.
- Yellow Evidence Marker #11 (Inventory 16022240, Item #11)-9mm Ruger SR9c semi-auto handgun with silver slide and black handle with a 17 shot capacity magazine. Serial No. 334-60459. Milwaukee Gun Tag 75495. The firearm was recovered from the trunk of Wauwatosa Squad # P222. I did note that the gun was loaded with 16 rounds in the magazine and 1 round in the chamber.
- Yellow Evidence Marker #12 (Inventory 16022240, Item #12)-Total of 7-9mm Luger CBC copper jacketed unfired cartridges that were recovered from Item #11.
- Yellow Evidence Marker #12 (Inventory 16022240, Item #13)-Total of 5-9mm Luger RP copper jacketed unfired cartridges that were recovered from Item #11.
- Yellow Evidence Marker #12 (Inventory 16022240, Item #14)-Total of 5-9mm Aguila copper jacketed unfired cartridges that were recovered from Item #11.

During the investigation, Forensic Investigator VEDBRAATEN did video record the scene using a handheld video recorder. He was then able to transfer the recording onto a DVD which was later placed on Inventory # 16022240 as item #15.

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016252/JOHNSON, NICHOLAS J

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During the investigation, the area was thoroughly checked using metal detectors for any other casings or fired projectiles, however none were located.

The firearm that I recovered during the incident (Inventory 16022240, Item #1) was later turned over to Forensic Investigator Chet. ST. CLAIR at the Bureau of Identification to be processed for fingerprints and DNA.

THIS CONCLUDES MY REPORT.



# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

DRAFT

Reported Date  
07/02/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, NICHOLAS J

Supplement No  
0025

## Administrative Information

Agency MILWAUKEE POLICE DEPT	Incident No 161750037	Supplement No 0025	Reported Date 07/02/2016	Reported Time 05:58	CAD Call No 161750406		
Status REPORT TO FOLLOW	Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)						
Location 9800 W GLENDALE AVE	City WAUWATOSA	ZIP Code 53225	Rep Dist 833				
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 016252/JOHNSON, NICHOLAS J			
Assignment METROPOLITAN INVESTIGATIONS DIVISION	Entered by 016252						
Assignment METROPOLITAN INVESTIGATIONS DIVISION	Confidential HOMICIDE	Property? None	Approving Officer 006709				
Approval Date 07/04/2016	Approval Time 18:10:08						

## Modus Operandi

Gang Act? No	Gang Name NONE
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## Supplement

This report was written by Detective Nicholas JOHNSON, assigned to the Metropolitan Investigations Division-Homicide Unit, Late Shift.

This report is filed in regards the Officer Involved Shooting (OIS 8-2016) that occurred on June 23rd 2016 at 9800 W. Glendale Ave. (Madison Park).

On June 24th, 2016 I compiled a Letter Of Transmittal requesting that evidence pertaining to this case be analyzed at the State of Wisconsin Regional Crime Lab.

The following items were sent to the crime lab for analysis.

- A. Item A Glock 22, Black .40 caliber handgun serial # UFB860 placed on Milwaukee Police Department Inv# 16022232 as Item #2
- B. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #1
- C. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #2
- D. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #3
- E. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #4
- F. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #5
- G. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #6
- H. Deformed copper jacketed bullet placed on Milwaukee Police Department inv # 16022240 as Item # 9.
- I. Ruger SR9c 9mm handgun with a silver slide and black handle, serial # 334-60459 placed on Milwaukee Police

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Incident Report  
MILWAUKEE POLICE DEPT

161750037  
DRAFT

Supplement No  
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**Supplement**

Department Inv# 16022240 as item # 11

J. DNA swabs collected from the grip and trigger of the 9mm Ruger (Item I) placed on Milwaukee Police Department inv # 16022269 as item 1.

K. DNA swabs collected from the slide of the 9mm Ruger (Item I) placed on Milwaukee Police Department inv # 16022269 as item 2.

L. DNA swabs collected from the barrel the 9mm Ruger (Item I) placed on Milwaukee Police Department inv # 16022269 item 3

M. DNA swabs collected from the magazine of the 9mm Ruger (Item I) placed on Milwaukee Police Department inv # 16022269 item 4.

N. Dried blood standard collected from ANDERSON placed on Milwaukee Police Department Inv# 16022260 as Item #1

O. Five (5) grain of bullet fragments placed on Milwaukee Police Department Inv# 16022260 as Item #2

P. 162 grain deformed copper jacketed bullet placed Milwaukee Police Department Inv# 16022260 as Item #3

Q. 162 grain deformed copper jacketed bullet placed Milwaukee Police Department Inv# 16022260 as Item #4

THIS CONCLUDES MY REPORT.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0026

Reported Date  
07/10/2016  
Nature of Call  
OJINVEST  
Officer  
CAMPBELL, JAMES A

Administrative Information										
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0026		Reported Date 07/10/2016		Reported Time 05:30		CAD Call No 161750406
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)								
Location 9800 W GLENDALE AVE						City WAUWATOSA		ZIP Code 53225		Rep Dist 833
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 013434/CAMPBELL, JAMES A						
Assignment METROPOLITAN INVESTIGATIONS DIVISION						Entered by 013434				
Assignment METROPOLITAN INVESTIGATIONS DIVISION						Property? None		Approving Officer		
Approval Date		Approval Time								
WITNESS (WITH INFORMATION) 1: LOGGINS, JEVONTE D										
Involvement WITNESS (WITH INFORMATION)		Inv No 1		Type INDIVIDUAL		Name LOGGINS, JEVONTE D				
MINI 1962449	Race BLACK/AFRICAN AMERICAN		Sex MALE	DOB 03/08/1993		Age 23	Ethnicity NOT HISPANIC/LATINO			
Juvenile? No	Hair Color UNKNOWN OR COMPLETELY BALD		Eye Color UNKNOWN		Res Status RESIDENT					
Type HOME	Address 3211 N 36TH ST					City MILWAUKEE		State WISCONSIN		
ZIP Code 53210										
Phone Type CELL	Phone No (414) 238-8491		Phone Type CELL	Phone No (414) 758-0554						
Employer/School ELITE MIX TAPES										
Modus Operandi										
Gang Act? No	Gang Name NONE									
Supplement										

This report is typed by Det. James CAMPBELL assigned to squad 9527 of The Metropolitan Division, Homicide Unit on The Early Shift.

On Friday 07/08/2016, Lt. Lucretia THOMAS did assign me follow-up regarding the Officer Involved Shooting (Wauwatosa PD), 06/23/2016 that occurred at Madison Park, 9800 W. Glendale Ave. (CAD #16-175-0406). Jay L. ANDERSON was identified as the victim in the offense. The follow-up consisted of conducting an interview of Jevonte D. LOGGINS, B/M 03/08/1993, 3211 N. 36th St, 238-8491, 758-0554. The interview occurred in the Conference room at District 7 while LOGGINS was uncuffed. The interview was specifically geared toward the Ruger SR9C 9mm, Serial #33460459, purchased by LOGGINS 07/14/2014.

LOGGINS stated that he is a CCW permit holder, and he got his license after he turned 21 (March or April 2014). LOGGINS stated that he purchased the gun to carry in July 2014. LOGGINS stated that he often carried it in his car. LOGGINS stated that he last remembers bringing the gun into his house before they had a fire at his house in July 2015. LOGGINS related that he currently does not know where the firearm is.

LOGGINS stated that after the fire, the family moved to a hotel on 107th and Good Hope for several weeks, then moved to St. James Place, then moved back to 3211 N. 36th St in February 2016. LOGGINS stated that he was scared to tell his Father that he could not find the gun. LOGGINS stated that he is the only person who would have had access to the gun. LOGGINS stated that he has been recently travelling the world, making basketball

Report Officer 013434/CAMPBELL, JAMES A	Printed At 07/25/2016 03:50	Page 1 of 2
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**Incident Report  
MILWAUKEE POLICE DEPT**

**161750037  
DRAFT**

Supplement No  
0026

**Supplement**

mix tapes with ELITEMIXTAPE. LOGGINS stated that he had alot of things going on his life and had kind of forgot about the gun.

LOGGINS stated that he had often carried the gun when he first got it, however carried it less frequently because the tint in his car caused him to get stopped. LOGGINS stated that he has a 2015 Kia Optima , Plate 425XHJ. LOGGINS stated that he purchased the gun from Gander Mountain in the company of "Rell", Terrell METCALFE. LOGGINS denied that he had purchased the gun for someone else, and denied loaning it or giving it to anyone.

LOGGINS identified a photo (111508625) of Jay L. ANDERSON, B/M 07/04/1990, as Jay. LOGGINS stated that he knows of Jay from playing pick up Basketball at the West Suburban YMCA. LOGGINS stated that it has been about 5 years since he has seen Jay, and that the last time he had seen him, he had short hair. LOGGINS stated that he had no idea how the gun got into Jays hands. LOGGINS stated that he had seen Jays photo in the news. LOGGINS did inquire about getting his firearm back and I refererred him to The MPD Gun Desk.

A check of RMS revealed there was a fire at his house 06/08/2015, 15-159-0161. The damage to the house was estimated at \$50,000.

LOGGINS is not listed in RMS, and has only a paid traffic ticket for an illegal Uturn in CCAP. I was unable to determine any linkage between LOGGINS and ANDERSON from MPD CAD or Incidents.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0027

Reported Date  
07/12/2016  
Nature of Call  
OJINVEST  
Officer  
PORTER, TROY V

Administrative Information							
Agency	MILWAUKEE POLICE DEPT		Incident No	161750037		Supplement No	0027
Status	REPORT TO FOLLOW		Reported Date	07/12/2016		Reported Time	14:05
Location	8026 W MEDFORD AV		Nature of Call	OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)			
District	Squad	From Date	From Time	Officer	City	ZIP Code	Rep Dist
4	430	06/23/2016	03:07	012439/PORTER, TROY V	WAUWATOSA	53225	833
Assignment	METROPOLITAN INVESTIGATIONS DIVISION			Entered by	012439		
Assignment	METROPOLITAN INVESTIGATIONS DIVISION			Confidential	Property?	Approving Officer	
Approval Date				HOMICIDE	None		
Motus Operandi							
Gang Act?	Gang Name						
No	NONE						
Supplement							

This report is written by Detective Troy PORTER (Squad 9539) assigned to the Metropolitan Investigations Division-Homicide Unit, Late Shift.

This report details follow-up conducted regarding the Officer Involved Shooting, involving a Wauwatosa Police Department Police Officer that occurred on Thursday 06-23-16 at Madison Park, 9800 W. Glendale Avenue, Wauwatosa, WI (IR #16-175-0037).

On Monday, July 10, 2016, I was directed by Lieutenant Joseph MCLIN to assist him in a meeting with Attorney Yoa O. DINIZULU to provide Atty. DINIZULU an opportunity to view a portion of the squad video that depicted the incident. This was offered as a courtesy to Atty. DINIZULU and would be done prior to the case being presented at the District Attorney's Office.

At approximately 11:30 a.m. Lt. MCLIN and I met with Atty. DINIZULU, Investigator Dennis K. WALLER, and Jay ANDERSON JR'S father, Jay L. ANDERSON SR (B/M, 03-08-67) on the 6th floor of the Police Administration Building (PAB), 749 W. State Street. Atty. DINIZULU, WALLER, and ANDERSON SR accompanied Lt. MCLIN and I to the Line-up room to show the video.

Lt. MCLIN played approximately 20 seconds of the video obtained from Police Officer Joseph MENSAH'S squad car. It was viewed on the big projection screen. Atty. DINIZULU asked to view the video on the computer monitor, which appeared to be a clearer view of the video. He was provided with that request.

Lt. MCLIN explained that the Metropolitan Investigations Division was handling the investigation, and that upon completion, the reports would be handed over to the District Attorney's office.

Only the persons mentioned above were provided the opportunity to view the video. They were not permitted to bring any recording devices into the room.

END OF REPORT

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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0028

Reported Date  
07/12/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0028		Reported Date 07/12/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 8026 W MEDFORD AV				City MILWAUKEE		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010266/O'DAY, LUKE G			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer	
Approval Date		Approval Time					

## Narrative

OIS 2016-8

## Modus Operandi

Gang Act?  
No

Gang Name  
NONE

## Supplement

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

On Tuesday, July 12, 2016, I reviewed Wauwatosa Police Department radio traffic recorded during the time of the incident. The file had been downloaded from their department and hand delivered to Metro. I located the file in Mfile folder *Police Related*. Folder *OIS 08-2016Wauwatosa* was located inside. Wav file *16-18370 PD radio* was located inside folder *16-18370- Sqd video OIS 2016-8*. The file was 34:18 in length.

PO Joseph MENSAH was assigned to Squad 305.

I made the following observations:

00:02 - PO MENSAH - "(Squad) 305 Occupied auto at Madison Park."

00:05 - Dispatch - "10-4. (Squad) 318"

00:12 - Squad 318 - "10-4. From the station."

00:48 - PO MENSAH - "305"

00:50 - Dispatch - "305"

00:53 - PO MENSAH - "28. 749-Union Sam David, 749-USD."

01:24 - Dispatch - "305. 29's a negative. 2016 for an Altima, silver in color. To an Elena DeLaRosa 4520 N 110th St."

01:44 - PO MENSAH - "10-4"

03:36 - PO MENSAH - "305. Step it up. He has a gun."

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 1 of 4
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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0028

**Supplement**

03:41 - Dispatch - "All squads respond to Madison Park. All squads respond to Madison Park."  
04:00 - Dispatch - "370. Did you copy?"  
04:04 - Squad 370 - "I did not. I'm sorry, can you go ahead?"  
04:08 - Dispatch - "305 is out with a subject at Madison Park who has a firearm."  
04:18 - Squad 370 - (unable to understand what the squad is saying)  
04:22 - Dispatch - "Affirmative. Everybody is going."  
04:40 - PO MENSAH - "305! Shots fired! Shots fired!"  
04:45 - Dispatch - "All squads step it up at Madison Park. All Squads. 305 are you okay?"  
04:54 - PO MENSAH - "305. I'm ok. Suspect down."  
04:59 - Dispatch - "Dispatch copies. Suspect down."  
05:27 - Sqd 370 - "370 en route."  
05:30 - Dispatch - "10-4"  
05:34 - Dispatch - "305 status?"  
05:38 - PO MENSAH - "305. I'm ok. Suspect down"  
05:41 - Dispatch - "10-4"  
05:44 - WFD - "Fire to Base Command"  
05:53 - PO MENSAH - "305. You can have Fire stage on 100th St."  
05:58 - Dispatch - "10-4. Is it safe for other squads to come in?"  
06:03 - PO MENSAH - "Um. Affirmative. But now I have no idea if there is anyone else in the park. It's just me and him right now."  
06:17 - Dispatch - "10-4. Was there anyone else in the car?"  
06:21 - PO MENSAH - "Negative. Just me and him."  
06:24 - Dispatch - "10-4"  
06:28 - Squad 318 - "Squad 318 10-23."  
06:30 - Dispatch - "10-4"  
07:04 - Dispatch - "370"  
07:05 - Squad 370 - "Go ahead."  
07:07 - Dispatch - "Would you like any assistance from West Allis?"  
07:15 - Squad 370 - "Let see what we have a minute. 370 to 305"  
07:20 - PO MENSAH - "305 go."  
07:24 - Squad 370 - "How's it looking? Are you okay. And shot's fired correct?"  
07:30 - PO MENSAH - "Affirmative. Shots fired. Suspect down."  
07:38 - Squad 370 - "10-4"

Report Officer  
010266/O'DAY, LUKE G

Printed At  
07/25/2016 03:50

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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0028

**Supplement**

07:44 - Squad 370 - "Dispatch. At this point why don't you have Milwaukee County Sheriff's to respond for mutual aid."

07:52 - Dispatch - "10-4"

07:59 - Squad 301 - "301 23."

08:04 - Dispatch - "10-4 301."

08:05 - Dispatch - "318 were you calling?"

08:42 - Dispatch - "305. You have a better area of the park you are in?"

08:48 - Squad 301 - "301 to Dispatch. They are clearing the vehicle right now. I'm headed around the park to see if anyone else is in here."

08:58 - Dispatch - 10-4. "The Sheriffs were asking if there was a better location to respond to in the park."

09:06 - Squad 301 - "The main entrance to the park, the main driveway, is probably best way now."

09:15 - Squad 318 - "318. I have a 30 something year old male black. He's not breathing at this time."

09:25 - Dispatch - "10-4. I have Fire staging."

09:30 - Squad 315 - "315. I'm 23."

09:38 - Dispatch - "10-4"

09:44 - PO MENSAH - "305. We are in the parking lot."

09:48 - Dispatch - "10-4"

10:20 - Squad 370 - "370 is on scene."

10:23 - Dispatch - "10-4"

11:23 - Squad 318 - "318. P&B"

11:28 - Dispatch - "10-4 318. Is it safe for Fire to enter?"

11:32 - Squad 318 - "Affirmative."

11:35 - Dispatch - "10-4"

11:52 - Dispatch - "303. Were you calling?"

11:55 - Squad 303 - "Not for now."

11:58 - Dispatch - "10-4"

12:00 - Squad 370 "370. Have command here."

12:07 - Dispatch - "10-4 370."

12:13 - Squad 22 (?) - "22 is 23."

12:39 - Squad 318 - "318. He does have a pulse."

12:44 - Dispatch - "10-4"

12:45 - Squad 370 - "370. Mark this time right now for Med making contact with the subject."

Incident Report  
MILWAUKEE POLICE DEPT

161750037  
DRAFT

Supplement No  
0028

Supplement

12:52 - Dispatch - "10-4"

I listened to the remaining 21:26 minutes of audio and did not hear anything further of evidentiary value.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0029

Reported Date  
07/16/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0029		Reported Date 07/16/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AVE				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010266/O'DAY, LUKE G			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer	
Approval Date		Approval Time					
MISC INFO OIS 2016-8							
Narrative							
OIS 2016-8							

Modus Operandi	
Gang Act? No	Gang Name NONE
Supplement	

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

On Saturday, July 16, 2016, I reviewed squad car video obtained from the Wauwatosa Police Department. It had been downloaded from Wauwatosa PO Stephen MILLS' squad camera. I located the video in Mfile folder *Police Related*. Folder *OIS 08-2016Wauwatosa* was located inside. Through a series of folders, I located the player AVViewer. Through the viewer, I was able to access file *030642.av*.

The video was from 3:06:21 AM - 3:17:11 AM.

I made the following observations:

The numbers "P222@4" is depicted in the lower right corner of the camera video. The date "06/23/2016" and time "03:06:21" can be viewed underneath.

The video depicts the view from the front dashboard of the squad car. The audio begins at 03:06:41. Lights and siren were activated at 03:06:42.

The squad arrived at 3:09:30 and took a position to the left (north) of PO Joseph MENSAH's vehicle; slightly to the west. PO MILLS was the first backup unit to arrive on scene. PO MENSAH could be observed standing at the driver rear of his squad, monitoring the suspect vehicle while awaiting the arrival of backup.

(\* The video depicted a similar viewpoint of PO MENSAH's squad video. That video was described in detail in Supplement report #22.)

03:10:53 - PO Ralph SALYERS, PO MILLS, and PO MENSAH, tactically approach the driver side of the vehicle.

03:11:13 - The driver side door was opened by one of the officers.

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 1 of 2
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**Incident Report  
MILWAUKEE POLICE DEPT**

**161750037  
DRAFT**

Supplement No  
0029

**Supplement**

03:12:07 - PO MILLS removed an item from the passenger front seat with his right hand and walked around the rear of the vehicle with his arm extended in down toward the ground. He rejoined PO SALYERS and together they disengaged from the vehicle.

03:13:34 - An officer approached the driver front door and appeared to check the driver. Other officers join him.

03:15:28 - The officers removed the suspect from the driver seat to administer first aid.

\*\* It should be noted I did not transcribe any radio traffic heard in this video. All radio traffic was previously transcribed in Supplement report #28.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037

DRAFT

Reported Date  
07/21/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, NICHOLAS J

Supplement No  
0030

## Administrative Information

Agency MILWAUKEE POLICE DEPT	Incident No 161750037	Supplement No 0030	Reported Date 07/21/2016	Reported Time 01:47	CAD Call No 161750406
Status REPORT TO FOLLOW	Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)				
Location 9800 W GLENDALE AVE			City MILWAUKEE	ZIP Code 53225	Rep Dist 833
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 016252/JOHNSON, NICHOLAS J	
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Entered by 016252		
Assignment METROPOLITAN INVESTIGATIONS DIVISION			Confidential HOMICIDE	Property? None	Approving Officer
Approval Date		Approval Time			

## Modus Operandi

Gang Act? No	Gang Name NONE
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## Supplement

This report was written by Detective Nicholas JOHNSON assigned to the Metropolitan Investigations Division-Homicide Unit, Late Shift.

On June 24th, 2016 I compiled a Letter of Transmittal to the State of Wisconsin Crime Lab regarding analysis of evidence recovered regarding this investigation. Items sent out to the crime lab included DNA swabs that were taken from a firearm that was recovered from the deceased, identified as Jay L. ANDERSON (B/M, 07/04/1990), as well as his DNA standard.

On July 21st, 2016 I received a Confidential Report of Laboratory Findings from Michelle M. BURNS of the State of Wisconsin Regional Crime Lab that was dated July 7th, 2016. The case was assigned number R16-2393.

In the report it states "An STR profile that is a mixture of DNA from at least three individuals was detected from the pistol grip and trigger swabs (Item J1). Assuming DNA from only three individuals in this mixture, a major male contributor can be determined at nine genetic markers. The major contributor STR DNA profile determined from Item J1 is consistent with the STR DNA profile detected from Jay L. ANDERSON."

A copy of the report will be kept with the Metropolitan Investigations File regarding this incident.

THIS CONCLUDES MY REPORT.

Report Officer 016252/JOHNSON, NICHOLAS J	Printed At 07/25/2016 03:50	Page 1 of 1
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# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0031

Reported Date  
07/21/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0031		Reported Date 07/21/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)					
Location 9800 W GLENDALE AVE				City WAUWATOSA		ZIP Code 53225	
Rep Dist 833		From Date 06/23/2016		From Time 03:07		Officer 010266/O'DAY, LUKE G	
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE		Properly? None	
Approval Date		Approval Time					
MISC INFO OIS 2016-8							

## Narrative

OIS 2016-8

## Modus Operandi

Gang Act?	Gang Name
No	NONE

## Supplement

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

On Saturday, July 16, 2016, I reviewed squad car video obtained from the Wauwatosa Police Department. It had been downloaded from Wauwatosa PO Ralph SALYERS squad camera. I located the video in Mfile folder *Police Related*. Folder *OIS 08-2016Wauwatosa* was located inside. Through a series of folders, I located the player AVViewer. Through the viewer, I was able to access file *030615.av*.

The video was from 3:05:54 AM - 3:24:08 AM.

I made the following observations:

The numbers "P219@Sq318" is depicted in the lower right corner of the camera video. The date "06/23/2016" and time "03:05:54" can be viewed underneath.

The video depicts the view from the front dashboard of the squad car. The audio begins at 03:05:54. Lights and siren were activated at 03:06:16.

The squad arrived at 3:09:37 and took a position to the right (south) of PO Joseph MENSAH's vehicle. PO SALYERS parked his squad about half a car length to the west of PO MENSAH's squad. He arrived a few seconds behind PO MILLS who parked on the north side of PO MENSAH's vehicle.

(\* The video depicted a similar viewpoint of PO MENSAH's squad video. That video was described in detail in Supplement report #22.)

03:10:02 - PO SALYERS appeared from the driver side of his squad armed with a patrol rifle.

03:10:17 - PO SALYERS - "Joe's (PO MENSAH), are we getting up on there on it or what?" PO MENSAH replied

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 1 of 9
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**Incident Report  
MILWAUKEE POLICE DEPT**

**161750037  
DRAFT**

Supplement No  
0031

**Supplement**

that he wasn't. PO SALYERS asks another officer off (who was off screen), "Are we getting up there or what?" That officer replies, "When we get a third squad here we will go up on it."

03:10:40 - PO MILLS stacks up behind PO SALYERS with a handgun and PO MENSAH takes the third position as they make the decision to approach the vehicle.

03:10:41 - PO MENSAH can be heard stating, "The firearm is right next to him on the passenger seat."

03:10:44 - The three officers approach the driver front of the vehicle.

03:11:12 - The driver front door was opened by PO MILLS.

03:11:17 - One of the officers asked, "Where's the gun?" Another officer responds, "Passenger seat."

03:11:22 - An officer asks, "Do you want to go secure it?"

03:11:26 - PO MENSAH disengages and walks back toward the squads.

03:11:34 - An officer asks, "Is he still breathing?"

03:11:41 - One of the officers states, "Just go to the side and secure the gun, ok?" PO MILLS walks around the rear of the vehicle to the passenger front.

03:11:55 - "318. I have a 30 something year old male black. He is not breathing at this time."

03:12:02 - PO SALYERS asked PO MILLS, "Can you grab it or no?" "Put your glove on and grab it out of there."

03:12:08 - PO MILLS reached into the passenger front of the vehicle. "Got it." And returned to the driver side of the vehicle.

03:12:19 - PO MILLS asked, "Come with me? And I can secure the gun." Both officers disengage from the vehicle. PO MILLS left arm was fully extended down by his left side as if he was carrying something.

03:12:34 - PO MILLS changes the object to his right hand and asks, "Do you want me to clear it?" A third officer walks up and asked if the weapon was secured. PO SALYERS responded, "He scooped it up just to get it out of there."

03:13:02 - PO SALYERS stated, "Well, secure that." PO MILLS transfers the weapon back to his left hand. He appears to have some sort of a bag in his right hand (back is to the camera).

03:13:09 - The sound of a weapon being cleared can be heard. (PO SALYERS clearing the patrol rifle.)

03:13:19 - PO SALYERS approached PO MILLS after clearing his patrol rifle. PO MILLS began to ask if he should clear the weapon. PO SALYERS interrupts him to say he wants to check on the subject inside the vehicle; "I just want to make sure to see if I can do anything."

(03:13:45 - 03:13:56 - A handgun can be observed in PO MILLS' left hand.)

03:13:46 - A second police officer walks toward the vehicle to join PO SALYERS.

03:13:55 - PO SALYERS had returned to the vehicle to check on the status of the driver. He stated, "Nothing. He's got no pulse."

03:13:58 - PO SALYERS stated to Dispatch, "318. P & B." At the same time, PO MILLS walks away out of camera view to the northwest. Additionally, a police officer walks up to the vehicle with what appears to be some sort of a med kit.

03:14:04 - Dispatch - "10-4 318. Safe for fire engine?"

03:14:08 - PO SALYERS responded, "Affirmative."

03:14:45 - An officer asked if he was breathing at all. PO SALYERS responded, "No. There's nothing. There's ..."

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 2 of 9
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**Incident Report**  
**MILWAUKEE POLICE DEPT**

**161750037**  
**DRAFT**

Supplement No  
0031

**Supplement**

03:14:54 - The officer asked if they should pull him out and start CPR. PO SALYERS responded that, "He's got a pulse."

03:15:01 - One of the officers says to pull him out.

03:15:05 - One of the officer's calls out (unknown if to Dispatch) - "57E - He's got a pulse." Pull him out, grab his head, watch his head." The driver is then moved to the ground from the vehicle. The officer directs PO SALYERS to notify Dispatch, which he does.

03:15:16 - Wauwatosa Fire Department arrives on scene, stopping to the south of the vehicle.

03:15:20 - Squad 370 - "370. Mark this time now for Med making contact with subject."

I watched the remaining video. There was nothing further of evidentiary value.



# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Reported Date  
07/21/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Supplement No  
0032

Administrative Information						
Agency	MILWAUKEE POLICE DEPT		Incident No	161750037	Supplement No	0032
Reported Date	07/21/2016		Reported Time	04:11		CAD Call No
161750406			Status			
REPORT TO FOLLOW			Nature of Call			
OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)			Location			
9800 W GLENDALE AVE			City		ZIP Code	Rep Dist
WAUWATOSA			53225		833	
District	Squad	From Date	From Time	Officer		
4	430	06/23/2016	03:07	010266/O'DAY, LUKE G		
Assignment				Entered by		
METROPOLITAN INVESTIGATIONS DIVISION				010266		
Assignment				Confidential	Property?	Approving Officer
METROPOLITAN INVESTIGATIONS DIVISION				HOMICIDE	None	
Approval Date		Approval Time				
MISC INFO						
OIS 2016-8						

**Narrative**  
OIS 2016-8

**Motus Operandi**  
Gang Act? No  
Gang Name NONE

**Supplement**

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

On Thursday, July 21, 2016, I reviewed squad car video obtained from the Wauwatosa Police Department. It had been downloaded from Wauwatosa PO Bryan Wade's squad camera. I located the video in Mfile folder *Police Related*. Folder *OIS 08-2016Wauwatosa* was located inside. Through a series of folders, I located the player AVViewer. Through the viewer, I was able to access file *031447.av*.

The video was from 03:14:17 AM - 03:17:23 AM.

I made the following observations:

The numbers "P232@302" is depicted in the lower right corner of the camera video. The date "06/23/2016" and time "03:14:17" can be viewed underneath.

The video depicts the view from the front dashboard of the squad car. The audio begins at 03:14:48; the emergency lights are activated from the start of the video.

03:14:17 - The squad is traveling toward the scene.

03:15:10 - The squad arrives as the Wauwatosa Fire Department is also arriving. It follows the fire truck onto the scene.

03:15:18 - An officer calls out over the air, "... He's got a pulse."

03:15:24 - Squad 370 - "370. Mark this time now for Med making contact with subject."

03:15:35 - The squad parked on scene (to the south and west of PO MENSAN's vehicle). It appeared the driver of the vehicle was laying outside the vehicle with officers and medical attention around him. Neither PO MENSAN

Report Officer	Printed At
010266/O'DAY, LUKE G	07/25/2016 03:50

Incident Report  
MILWAUKEE POLICE DEPT

161750037  
DRAFT

Supplement No  
0032

**Supplement**

nor PO MILLS (with the firearm) were in view of the squad camera.

03:16:11 - PO WADE was assigned to stay with PO MENSAH by Sqd 370, Lt. GABRISH.

03:17:23 - The video ends.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0033

Reported Date  
07/21/2016  
Nature of Call  
OJINVEST  
Officer  
O'DAY, LUKE G

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0033		Reported Date 07/21/2016	
Status REPORT TO FOLLOW		Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)		Reported Time 06:10		CAD Call No 161750406	
Location 9800 W GLENDALE AVE				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010266/O'DAY, LUKE G			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Property? None	Approving Officer	
Approval Date		Approval Time					

## Narrative

OIS 2016-8

## Modus Operandi

Gang Act?	Gang Name
No	NONE

## Supplement

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

On Thursday, July 21, 2016, I reviewed surveillance video obtained from the Wauwatosa Police Department. It had been downloaded from Madison Elementary School located at 9925 W. Glendale Ave. in Wauwatosa. It was delivered to MPD recorded on a Kingston 8GB flash drive. The content was downloaded to Mfile folder titled *Police Related*. Folder *OIS 08-2016Wauwatosa* was located inside. Through a series of folders, I located the player DS Media Player. Through the viewer, I was able to access file *Wauwatosa PD case 16-18370 Madison Elementary\_xpa*.

A supplement report filed by Wauwatosa Police Officer Joel KUTZ was delivered along with the flash drive. PO KUTZ, assigned as a School Resource Officer, authored a report regarding viewing the surveillance video.

I reviewed the video and found PO KUTZ's observations were accurately reported.

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Reported Date  
07/21/2016  
Nature of Call  
HOMICIDE  
Officer  
O'DAY, LUKE G

Supplement No  
0034

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0034		Reported Date 07/21/2016	
Status REPORT TO FOLLOW		Nature of Call MURDER, MANSLGHTR/NEGL MANSLGHTR/JUST HOMI					
Location 9800 W GLENDALE AVE				City WAUWATOSA		ZIP Code 53225	
District 4	Squad 430	From Date 06/23/2016	From Time 03:07	Officer 010266/O'DAY, LUKE G			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Entered by 010266			
Assignment METROPOLITAN INVESTIGATIONS DIVISION				Confidential HOMICIDE	Properly? None	Approving Officer	
Approval Date		Approval Time					

## Narrative

OIS 2016-8

## Modus Operandi

Gang Act? No	Gang Name NONE
-----------------	-------------------

## Supplement

This report is written by Det. Luke O'DAY assigned to Metropolitan Division, Homicide Unit (Late Shift).

This report details follow-up conducted regarding the Officer Involved Shooting (Wauwatosa PD) at Madison Park, 9800 W. Glendale Ave. (IR #16-175-0037).

Listed below is a timeline of highlights regarding this incident.

Timeline of OIS 2016-8:

- 01:37:00 - A vehicle matching ANDERSON's vehicle pulled into the lot. (Per school video)
- 03:01:10 - PO MENSAH's squad entered the park. (Per school video)
- 03:03:00 - PO MENSAH advised Dispatch of an occupied auto. (Per WPD CAD)
- 03:06:36 - PO MENSAH radioed, "305. Step it up. He has a gun." (Per MENSAH squad video)
- 03:07:15 - PO MENSAH discharged his firearm. (Per MENSAH squad video)
- 03:07:45 - PO MENSAH radioed, "305! Shots fired! Shots fired!" (Per WPD CAD)
- 03:11:55 - PO SALYERS advised Dispatch subject was not breathing. (Per MENSAH squad video)
- 03:12:26 - PO MILLS retrieved gun from passenger side of vehicle. (Per MENSAH quad video)
- 03:14:45 - PO SALYERS advised Dispatch driver had a pulse. (Per SALYERS squad video)
- 03:15:05 - Driver pulled from vehicle to render first aid. (Per SALYERS squad video)

Report Officer 010266/O'DAY, LUKE G	Printed At 07/25/2016 03:50	Page 1 of 2
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**Incident Report  
MILWAUKEE POLICE DEPT**

**161750037  
DRAFT**

Supplement No  
0034

**Supplement**

03:15:16 - Wauwatosa FD arrived on scene. (Per SALYERS squad video)



# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0035

Reported Date  
06/23/2016  
Nature of Call  
OJINVEST  
Officer  
PETROPOULOS, GUST P

Administrative Information											
Agency	MILWAUKEE POLICE DEPT	Incident No	161750037	Supplement No	0035	Reported Date	06/23/2016	Reported Time	03:59	CAD Call No	161750406
Status	REPORT TO FOLLOW	Nature of Call	OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)								
Location	8026 W MEDFORD AV			City	MILWAUKEE	Rep Dist	833	District	4	Squad	430
Officer	007375/PETROPOULOS, GUST P			Assignment	METROPOLITAN INVESTIGATIONS DIVISION						
Entered by	007375	Assignment	METROPOLITAN INVESTIGATIONS DIVISION			Confidential	HOMICIDE	Property?	None		
Approving Officer			Approval Date			Approval Time					
Modus Operandi											
Crime Code(s)	INVS										
Supplement											

This report is submitted by Detective Gust Petropoulos assigned to the Homicide Unit.

On Thursday, July 21st, 2016 Lieutenant Joe McLin requested that I retrieve items from a vehicle being stored at the "X" building at the city tow lot and bring them to the office of Deputy District Attorney Kent Lovern. These items specifically were a child's car seat and a wallet. I made contact with Police Officer Jon Parker, who advised that a prior request had been made for these items and that they had been retrieved from the vehicle by Police Officer Joseph Anderer and placed aside the vehicle. I went to the city tow lot, obtained these items, and conveyed them to Mr. Lovern's office where I personally gave them to him.

end of report

# Incident Report MILWAUKEE POLICE DEPT

2333 N. 49TH ST  
Milwaukee, WI 53210

(414) 935-7502

161750037  
DRAFT

Supplement No  
0036

Reported Date  
07/25/2016  
Nature of Call  
OJINVEST  
Officer  
JOHNSON, NICHOLAS J

## Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 161750037		Supplement No 0036		Reported Date 07/25/2016		Reported Time 02:41		CAD Call No 161750406	
Status REPORT TO FOLLOW			Nature of Call OUTSIDE JURISDICTION INV (WI ACT 348 ONLY)								
Location 9800 W GLENDALE AVE								City WAUWATOSA		ZIP Code 53225	
District 4		Squad 430		From Date 06/23/2016		From Time 03:07		Officer 016252/JOHNSON, NICHOLAS J			
Assignment METROPOLITAN INVESTIGATIONS DIVISION								Entered by 016252			
Assignment METROPOLITAN INVESTIGATIONS DIVISION								Confidential HOMICIDE		Property? None	
Approval Date				Approval Time							

## Narrative

This report was written by Detective Nicholas JOHNSON assigned to the Metropolitan Investigations Division-Homicide Unit, Late Shift.

On June 24th, 2016 I compiled a Letter of Transmittal to the State of Wisconsin Crime Lab regarding analysis of evidence recovered regarding this investigation. Items sent out to the crime lab included the Glock 22 .40 caliber handgun that was recovered from P.O. MENSAH, 6 .40 caliber cartridge casings, 3 fired jacketed hollow point bullets and 4 lead fragments that were recovered over the course of the investigation.

On July 25th, 2016 I received a Confidential Report of Laboratory Findings from Xai XIONG who is a Firearms and Toolmark Examiner of the State of Wisconsin Regional Crime Lab that was dated July 8th, 2016. The case was assigned number R16-2393.

In the report it states that the 6 .40 caliber casings were fired from the Glock 22 .40 caliber handgun recovered from P.O. MENSAH. The report further stated that the 3 fired jacketed hollow point bullets were also fired from the Glock 22 .40 caliber handgun from P.O. MENSAH. The 4 lead fragments were not suitable for firearm identification comparison.

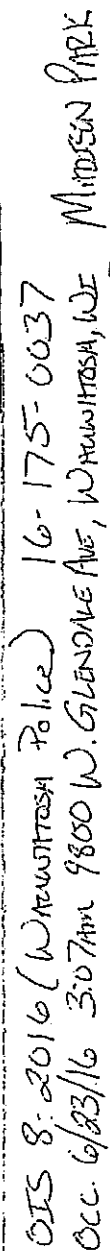
Also sent out and requested for analysis was the Ruger SR9C 9mm caliber handgun that was recovered from the vehicle that the deceased was located. The firearm was tested for functionality. The firearm was tested and found to be mechanically functional.

THIS CONCLUDES MY REPORT.

## Modus Operandi

Gang Act?	Gang Name
No	NONE

Boston Public Library



- TO W. GILMAN AVE.

015 8

Milwaukee Police Department PROPERTY CONTROL SECTION	IN# <b>0161750037</b>	AC# <b>16022217</b>	<b>*16022217</b>
<b>OFFICER DROP RECEIPT</b>	INV	Lab #	Drop Off Time <b>06/23/2016 07:36:50 AM</b>

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>1</b>
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RESPONSIBLE OFFICER <b>[017783] - DET Matthew GADZALINSKI</b>	TYPE <b>EVID</b>
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SUBMITTING OFFICER <b>[017783] - DET Matthew GADZALINSKI</b>
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<b>CIRCUMSTANCES</b>
Evidence recovered from victim at Froedtert Hospital, during an officer involve shooting, which occurred on 06-23-16, at 9800 W Glendale Av.

<b>PEOPLE</b>			
1	name Anderson, Jay L	address 8026 W Medford Av Milwaukee, WI 53225	Relationship(s): Victim
	phone	date of birth 07/04/1990	

<b>ITEMS</b>						
itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	Y - Blue and white, Nike Air Jordan , size 10, <b>*16022217__1</b>			✱	Blue and white, Nike Air Jordan , size 10, tennis shoe. right foot, item #1
2	1	Y - Blue and white, Nike Air Jordan , size 10, <b>*16022217__2</b>			✱	Blue and white, Nike Air Jordan , size 10, tennis shoe. left foot, item #2
3	1	Y - Silver rope style necklace, broken, item #3 <b>*16022217__3</b>			✱	Silver rope style necklace, broken, item #3
4	1	Y - Red and black, "Ralph Lauren" brand boxer <b>*16022217__4</b>	✓		✱	Red and black, "Ralph Lauren" brand boxer shorts with deer emblem, cut, with blood staining, item #4
5	1	Y - Blue and White striped, "Ralph Lauren" brand <b>*16022217__5</b>	✓		✱	Blue and White striped, "Ralph Lauren" brand shirt, blood soaked, with possible bullet hole right shoulder/neck area, item #5
6	2	Y - Black ankle style cotton socks, item #6 <b>*16022217__6</b>			✱	Black ankle style cotton socks, item #6

<b>Approval Copy</b>	TOTAL ITEMS <b>9</b>
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<b>DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING</b>			
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Supervisor sign here: Print name here	PS# MP61238	Wrk Loc 91	Approved <input checked="" type="checkbox"/>
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Milwaukee Police Department PROPERTY CONTROL SECTION <b>OFFICER DROP RECEIPT</b>	IN# <b>0161750037</b>	AC# <b>16022217</b>	<b>*16022217</b>
	INV	Lab #	

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>2</b>
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RESPONSIBLE OFFICER <b>[017783] - DET Matthew GADZALINSKI</b>	TYPE <b>EVID</b>
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SUBMITTING OFFICER <b>[017783] - DET Matthew GADZALINSKI</b>
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<b>ITEMS</b>
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itm no	qty	ACE generated description	d r	i d	flags	user description
7	1	Y - "LEVIS" brand, kaki colored pants, size 36x30, <b>*16022217__7</b>	✓		*	"LEVIS" brand, kaki colored pants, size 36x30, with brown leather belt (silver buckle), blood staining on pants
8	1	Y - Cousins loyalty card, recovered from left rear <b>*16022217__8</b>			*	Cousins loyalty card, recovered from left rear kaki pants pocket. For use at 11401 W Silver Spring Dr. Item # 8
9	1	Y - Plastic sandwich bag which was original <b>*16022217__9</b>	✓		*	Plastic sandwich bag which was original container for narcotics recovered in front right kaki pants pocket.

Approval Copy	TOTAL ITEMS <b>9</b>
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DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING

Supervisor sign here: Print name here	PS# <b>MP61238</b>	Wrk Loc <b>91</b>	Approved <input checked="" type="checkbox"/>
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Milwaukee Police Department PROPERTY CONTROL SECTION	IN# <b>0161750037</b>	AC# <b>16022224</b>	<b>*16022224</b>
<b>OFFICER DROP RECEIPT</b>	INV	Lab #	Drop Off Time <b>06/23/2016 09:10:26 AM</b>

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>1</b>
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RESPONSIBLE OFFICER <b>[017783] - DET Matthew GADZALINSKI</b>	TYPE <b>EVID</b>
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SUBMITTING OFFICER <b>[017783] - DET Matthew GADZALINSKI</b>
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CIRCUMSTANCES
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OFFICER INVOLVED SHOOTING
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Green plant like substance consistent with THC which was recovered from victim's pants pocket during shooting investigation at Hospital, which occurred on 06-23-16, at 9800 W Glendale Ave.

PEOPLE
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1	name Anderson, Jay L	address 8026 W Medford Av Milwaukee, WI 53225	Relationship(s): Victim
	phone		

ITEMS
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itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	NMARIJU - Green plant Material, contained in (1) <b>*16022224__1</b>			✱	Green plant Material, contained in (1) paper fold.  1a) 2.43gr without original container EST GRAMS: 2.43

Test NARKIOS By P.O. Behlen  
Wgt 2.43gr wit. Det. GADZALINSKI

Approval Copy

TOTAL ITEMS  
**1**

26 DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING

Supervisor sign here:  
Print name here

Case 2:21-cv-00848-LA Filed 08/22/23 Page 119 of 215 Document 91-9

I T Joseph C Mc IN

PS#  
MP61251

Wrk Loc  
91

☐ Approved

05-2016-8

Milwaukee Police Department PROPERTY CONTROL SECTION	IN# <b>0161750037</b>	AC# <b>16022225</b>	<b>*16022225</b>
<b>OFFICER DROP RECEIPT</b>	INV	Lab #	Drop Off Time <b>06/23/2016 09:12:26 AM</b>

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>1</b>
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RESPONSIBLE OFFICER <b>[010978] - DET Steven S JOHNSON</b>	TYPE <b>SAFE</b>
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SUBMITTING OFFICER <b>[010978] - DET Steven S JOHNSON.</b>
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**CIRCUMSTANCES**

Listed US Currency recovered from suspect during OIS 2016-8 investigation at 9800 W. Glendale Av., Wauwatosa, WI. on 06-23-16.

No MPD Receipt for Property issued.

**PEOPLE**

1	name <b>Anderson, Jay L</b>	address <b>8026 W. Medford Av. Milwaukee, WI53218</b>	Relationship(s): Claimant
	phone <b>(414)210-06067</b>	date of birth <b>07/04/1990</b>	

**ITEMS**

itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	\$FR - Money [\$7.00] - money, US Currency: \$1.00 <b>*16022225__1</b>				money, US Currency: \$1.00 bill x 7, total value \$7.00 DOLLAR AMT: \$7.00
2	1	\$FR - Money [\$60.00] - money, US Currency, <b>*16022225__2</b>				money, US Currency, \$10.00 bill x 6, total value \$60.00 DOLLAR AMT: \$60.00
3	1	\$FR - Money [\$620.00] - money, US Currency <b>*16022225__3</b>				money, US Currency \$20.00 bill x 31, total value \$620.00 DOLLAR AMT: \$620.00
4	1	\$FR - Money [\$50.00] - money, US Currency, <b>*16022225__4</b>				money, US Currency, \$50.00 bill x 1, total value \$50.00 DOLLAR AMT: \$50.00
5	1	\$FR - Money [\$100.00] - money, US Currency <b>*16022225__5</b>				money, US Currency \$100.00 bill x 1, total value \$100.00 DOLLAR AMT: \$100.00

**Approval Copy**

TOTAL MONEY RECEIVED <b>\$837.00</b>	TOTAL ITEMS <b>5</b>
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**DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING**

Supervisor sign here: Print name here <b>LT Joseph C McLIN</b>	PS# <b>MP61251</b>	Wrk Loc <b>91</b>	Approved <input type="checkbox"/>
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Milwaukee Police Department PROPERTY CONTROL SECTION <b>OFFICER DROP RECEIPT</b>	IN# <b>0161750037</b>	AC# <b>16022225</b>	<b>*16022225</b>
	INV	Lab #	

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>2</b>
RESPONSIBLE OFFICER <b>[010978] - DET Steven S JOHNSON</b>	TYPE <b>SAFE</b>	
SUBMITTING OFFICER <b>[010978] - DET Steven S JOHNSON</b>		

ITEMS						
itm no	qty	ACE generated description	d r	i d	flags	user description

<b>Approval Copy</b>	TOTAL MONEY RECEIVED <b>\$837.00</b>	TOTAL ITEMS <b>5</b>
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DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING		
Supervisor sign here <b>78</b>	PS#	Wrk Loc
Case 2:21-cv-00848-LA Filed 08/22/23 Page 121 of 215 Document 91-9		<input type="checkbox"/> Approved

Milwaukee Police Department PROPERTY CONTROL SECTION <b>OFFICER DROP RECEIPT</b>		IN# <b>0161750037</b>	AC# <b>16022226</b>	<i>OIS 2016-8</i> <b>*16022226</b>		
		INV	Lab #	Drop Off Time <b>06/23/2016 09:14:20 AM</b>		
RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>			Other#	PAGE <b>1</b>		
RESPONSIBLE OFFICER <b>[012439] - DET Troy PORTER</b>			TYPE <b>EVID</b>			
SUBMITTING OFFICER <b>[012439] - DET Troy PORTER</b>						
<b>CIRCUMSTANCES</b>						
Listed items were recovered on 06/23/2016 while at 9800 W. Glandale Ave during an Officer Involved Shooting Incident involving Wauwatosa Police Department.						
OIS 2016-8 / IR #16-175-0037 Date: 06/23/2016 Loc: 9800 W Glandale Ave						
<b>PEOPLE</b>						
1	name ANDERSON, Jay L		address 8026 W Medford Ave Milwaukee, WI 53225		Relationship(s): Victim	
	phone	date of birth 07/04/1990				
<b>ITEMS</b>						
itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	Y - Black Apple iPhone recovered from the front <b>*16022226__1</b>				Black Apple iPhone recovered from the front left pants pocket of Jay ANDERSON
2	1	Y - Wisconsin Identification Card for Jay <b>*16022226__2</b>				Wisconsin Identification Card for Jay ANDERSON that was recovered from his pants pocket.
<b>Approval Copy</b>					TOTAL ITEMS <b>2</b>	
<b>DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING</b>						
Supervisor sign here <i>79</i> Paul R KAVANAGH			PS# MP61238	Wrk Loc 91	Approved <input checked="" type="checkbox"/>	

Milwaukee Police Department PROPERTY CONTROL SECTION <b>OFFICER DROP RECEIPT</b>	IN# <b>0161750037</b>	AC# <b>16022227</b>	<b>*16022227</b>
	INV	Lab #	

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>1</b>
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RESPONSIBLE OFFICER <b>[017783] - DET Matthew GADZALINSKI</b>	TYPE <b>EVID</b>
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SUBMITTING OFFICER <b>[017783] - DET Matthew GADZALINSKI</b>
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CIRCUMSTANCES <b>U.S. Coins recovered from subject, at Froedtert Hospital, 9200 W Wisconsin Ave, in regards to shooting investigation which occurred on 06-23-16, at 9800 W Glendale Ave.</b>
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PEOPLE			
1	name <b>Anderson, Jay L</b>	address <b>8026 W Medford Av Milwaukee, WI 53225</b>	Relationship(s): Victim
	phone	date of birth <b>07/04/1990</b>	

ITEMS						
itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	\$ - Money [\$0.51] - U.S. Coins  <b>*16022227__1</b>			✳	U.S. Coins  (2) US Quarters (1) US Penny  Contained in Specimen Jar that Hospital staff placed them in from ANDERSON's person DOLLAR AMT: \$0.51

80	Approval Copy	TOTAL MONEY RECEIVED <b>\$0.51</b>	TOTAL ITEMS <b>1</b>

DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING			
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Supervisor sign here	PS# <b>MP61251</b>	Wrk Loc <b>q1</b>	Approved <input type="checkbox"/>
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Milwaukee Police Department PROPERTY CONTROL SECTION <b>OFFICER DROP RECEIPT</b>		IN#	AC#		OIS 2016-8 *16022231	
		0161750037	16022231			
		INV	Lab #	Drop Off Time		
				06/23/2016 09:38:38 AM		
RESPONSIBLE WORK				Other#		PAGE
[95] - Metro Investigation Div						1
RESPONSIBLE OFFICER				TYPE		
[010978] - DET Steven S JOHNSON				FND		
SUBMITTING OFFICER						
[010978] - DET Steven S JOHNSON						
CIRCUMSTANCES						
Listed marijuana recovered from OIS 2016-8 deceased suspect, Jay L. Anderson B/M 07-04-1990, at 9800 W. Glendale Av., Wauwatosa, Wi., on 06-23-16. No Case No MPD Receipt for Property Issued.						
ITEMS						
itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	NMARIJU - Green plant Material, with MPD  *16022231__1				Green plant Material, with MPD paperfold, one (1) clear plastic sandwich bag EST GRAMS: 9.98
Approval Copy					TOTAL ITEMS	
					1	
DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING						
Supervisor sign here			PS#	Wrk Loc	<input type="checkbox"/> Approved	
Case 2:21-cv-00848-LA Filed 08/22/23 Page 124 of 215 Document 91-9 J.T. Joseph C. McILIN			MP61251	91		

Milwaukee Police Department PROPERTY CONTROL SECTION		IN# 0161750037	AC# 16022232	*16022232		
OFFICER DROP RECEIPT		INV	Lab #	Drop Off Time 06/23/2016 09:53:08 AM		
RESPONSIBLE WORK [95] - Metro Investigation Div			Other#	PAGE 1		
RESPONSIBLE OFFICER [010266] - DET LUKE G. O'DAY			TYPE EVID			
SUBMITTING OFFICER [010266] - DET LUKE G. O'DAY						
CIRCUMSTANCES						
Items recovered from Wauwatosa police officer regarding the Officer Involved Shooting that occurred on 6-23-16 at 9800 W. Glendale Ave. (OIS 2016-8)						
PEOPLE						
1	name Mensah, Joseph A		address 1700 N. 116th St. Wauwatosa PD		Relationship(s): Claimant	
	phone (414) 471-8430	date of birth				
ITEMS						
itm no	qty	ACE generated description	d r	i d	flags	user description
1	10	WF - Federal 40 S&W nickel plated brass unfired *16022232__1		✓		Federal 40 S&W nickel plated brass unfired cartridges
2	1	WPI GLC40 - Glock mod 22 .40cal semi-auto *16022232__2		✓		Glock mod 22 .40cal semi-auto handgun with rubber grip, 15 round magazine, equipped with a TLR-1's Streamlight tactical flashlight. SER #: UFB860 Gun tag #75462
3	1	Y - Wauwatosa PD 4-page CAD related to the call *16022232__3				Wauwatosa PD 4-page CAD related to the call at 9800 W. Glendale Ave.
Approval Copy						TOTAL ITEMS 3
DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING						
Supervisor sign here			PS# MP61238	Wrk Loc 91	<input type="checkbox"/> Approved <div>Case 2:21-cv-00848-LA Filed 08/22/23 Page 125 of 215 Document 91-9</div>	

Thursday, June 23, 2016 6:24:28

\*\* For official use only \*

## CALL DETAILS FOR:

16.018370

Reported Date:	06/23/16 03:03:00		
Location:	9800 W Glendale Av - Wauwatosa, WI, 53225		
CommonName:	Madison Park ; WPD		
Cross Streets:	Between No Thru Street & N 100 St		
Reported CFS:	SUS2	Initial Alarm Level:	/
Receive Source:	O - Officer Initiated	Final Alarm Level:	/
Reported Time:	06/23/16 03:03:00	RA #:	
Stacked Time:	06/23/16 03:03:00	X/Y Cords:	A/2
Dispatched Time:	06/23/16 03:03:01	District:	2
On Scene Time:	06/23/16 03:03:01	Prime Unit:	305
Contained Time:			
Finished Time:			

## Unit Response Information

104

DI	AC	OS
5:43:12	5:43:53	5:51:19

106

DI	AC	OS	EN
5:14:24	5:16:40	5:20:49	6:11:41

301

DI	AC	OS	EH	AH
3:06:31	3:06:35	3:10:27	3:47:07	3:47:24

302

DI	AC	OS
3:06:31	3:14:31	3:14:34

303

DI	AC	OS
3:06:31	3:06:52	4:21:09

304

DI	AC	OS
3:06:31	3:06:36	3:09:05

305

OI	PC
3:03:01	3:03:44

306

DI	AC	EH	AH
3:06:31	3:09:51	3:47:07	3:47:24

318

DI	AC	OS	EN
3:03:09	3:04:24	4:21:09	6:15:19

171

DI	EN
4:19:22	4:19:25

370

DI	OS
3:08:23	3:13:07

181

DI
4:35:01

133

DI	EN	OS
5:01:21	5:01:27	5:06:53

135

DI	EN
6:03:36	6:03:41

136

DI	EN	PU	DI
4:32:59	4:33:04	4:34:06	5:19:37

139

DI	EN
4:34:16	4:34:21

195

DI	OS	FI
4:34:51	4:34:51	6:23:53

165

DI	EN	OS
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## Comments

6/23/16 06:19:20 (SYS)  
Update reviewed by dispatcher- Wellman, Katie-6716

6/23/16 06:13:45 Opr - 6716 Unit - 135  
106 w/ mpd for notification

6/23/16 06:11:27 Opr - 6716 Unit - 135  
4520 n 110-attempting family notification w/ mpd

6/23/16 05:34:41 Opr - 6716 Unit - 302  
fire back in quarters

6/23/16 05:25:25 Opr - 6169

DR ERTL ADVISED, WILL CANCEL SUMMER SCHOOL

6/23/16 05:10:57 Opr - 6716 Unit - 302  
180-Command

6/23/16 05:07:59 Opr - 6716 Unit - 302  
301-FMLH  
302-perimeter/ w/ 305  
303-East perimeter  
304-OS  
306-FMLH  
318-OS

6/23/16 04:29:44 (SYS)  
Update reviewed by dispatcher- Bradley, Katie A-6169

~~6/23/16 04:24:35 Opr - 6169~~

165 RESPONDING TO THE SCENE

6/23/16 04:10:53 Opr - 6169

MPD OS

6/23/16 03:53:32 Opr - 6169

181 RESPONDING

6/23/16 03:50:52 (SYS)  
Update reviewed by dispatcher- Wellman, Katie-6716

6/23/16 03:50:48 Opr - 6716 Unit - 303  
180/sharpee enroute

6/23/16 03:42:44 Opr - 6716 Unit - 305  
303-East perimeter

6/23/16 03:41:39 Opr - 6716 Unit - 305  
COMM Post left of scene

6/23/16 03:36:56 Opr - 6716 Unit - 305  
med unit leaving lot

6/23/16 03:29:00 Opr - 6169

MPD HOMICIDE DIV CONTACTED, RESPONDING

6/23/16 03:28:04 Opr - 6716 Unit - 304  
vln/plate match

6/23/16 03:25:08 Opr - 6716 Unit - 304  
305-os

6/23/16 03:25:02 Opr - 6716 Unit - 304

301-parking lot/following meds  
302-parking lot  
303-clearing bathrooms w/ mcsa  
304-os  
306-ambulance/parking lot  
318-os



6/23/16 03:20:31	Opr - 6169	
170 ADVISED		
6/23/16 03:15:39	Opr - 6716	Unit - 304
mcso enroute		
6/23/16 03:15:33	Opr - 6169	
MEDS PT		
6/23/16 03:15:08	Opr - 6169	
370 - COMMAND		
6/23/16 03:14:13	Opr - 6716	Unit - 304
subj pnb		
6/23/16 03:12:36	Opr - 6716	Unit - 304
middle of parking lot, entrance of park		
6/23/16 03:12:17	Opr - 6716	Unit - 304
30 y/o m/b not breathing		
6/23/16 03:10:10	Opr - 6716	Unit - 304
305- is okay		
6/23/16 03:07:45	Opr - 6716	Unit - 304
shots fired		
6/23/16 03:07:43	Opr - 6716	Unit - 304
suspect down		
6/23/16 03:03:00	Opr - 6169	
OCC AUTO		

## Names

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

OBS 7/2/16-8

Milwaukee Police Department PROPERTY CONTROL SECTION <b>OFFICER DROP RECEIPT</b>	IN# <b>0161750037</b>	AC# <b>16022239</b>	<b>*16022239</b>
	INV	Lab #	

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>1</b>
RESPONSIBLE OFFICER <b>[010978] - DET Steven S JOHNSON</b>	TYPE <b>EVID</b>	
SUBMITTING OFFICER <b>[010978] - DET Steven S JOHNSON</b>		

**CIRCUMSTANCES**

Listed Consent To Search Authorization form, PF-3, signed by vehicle owner during OIS 2016-8 investigation.  
Incident occurred at 9800 W. Glendale Av. on 06-23-16.  
No MPD Receipt for Property issued.

ITEMS					
itm no	qty	ACE generated description	d r	i d	flags
1	1	Y - MPD Consent to Search Authorization form  <b>*16022239__1</b>			
					user description MPD Consent to Search Authorization form PF-3 signed by Olena De La Rosa for 2006 Nissan Altima, WI plates 749-USD

<b>87</b>	<b>Approval Copy</b>	TOTAL ITEMS <b>1</b>
-----------	----------------------	-------------------------

**DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING**

Supervisor sign here: Print name here	PS# MP61238	Wrk Loc 91	<input type="checkbox"/> Approved
--	----------------	---------------	-----------------------------------

# MILWAUKEE POLICE DEPARTMENT Consent to Search Authorization

OTS 2016-8

I, Olena DeLa Rosa DOB: 08-10-77 acknowledge the following:

1. I am voluntarily, freely, and knowingly, without threats or promises, allowing a search of the below listed person, property and/or vehicle by police. I also have the right to end this search at any time after it has begun.
2. I am the legal owner of the below listed location and/or property or it is under my legal control.
3. I give the police officer(s) the authority to remove any contraband, stolen property or evidence of any other crime that is found during their search.
4. I have the constitutional right to refuse this consent search and I have the right to require the police officer(s) to obtain a search warrant before a search is made.

Signed: [Signature]Date: 06-23-16 Time: 10:55 AM/PM

## Consenter's Information

Last, First MI <u>DeLa Rosa, Olena</u>		Sex <u>F</u>	Race <u>W</u>	DOB <u>08-10-73</u>
Street Address <u>4520 N. 110th St</u>		City, State, Zip <u>Wauwatosa, WI 53225</u>		Phone <u>(714) 394-7097</u>

## Location(s) to be Searched

Street Address <u>NA</u>	City, State, Zip <u>NA</u>
Other Descriptive Information or Scope of Search <u>NA</u>	

## Vehicle to be Searched

Vehicle Make/Model <u>Nissan Altima</u>	Year <u>2006</u>	Color <u>Black</u>	License # and/or VIN <u>749-USD</u>
Other Descriptive Information or Scope of Search <u>Vehicle, interior, trunk.</u>			

## Property to be Searched

Description of Property <u>NA</u>	Unlock Pattern: Draw with arrows from start point to end point:  <div style="display: flex; flex-direction: column; align-items: center;"> <div>○ ○ ○</div> <div>○ ○ ○</div> <div>○ ○ ○</div> </div>
Other Descriptive Information or Scope of Search <u>NA</u>	
Cell Phones	
My cell phone number, telephone number <u>NA</u> , PIN (unlock) code <u>NA</u>	

## Officer(s) Information

Officer Name <u>Det. Johnson, Steven S</u>	Officer Signature <u>[Signature]</u>	P.S. # <u>010978</u>	Work Loc. <u>95</u>
Officer Name	Officer Signature <u>[Signature]</u>	P.S. #	Work Loc.

## Check All That Apply:

- ☒ ID of Person Verified  
☐ Consent Given, but Declined to Sign  
☐ Audio or Video Recording of Consent Obtained

MPD CAD # (required) 16-175-0406MPD IR # (if applicable) 16-175-0037

## Final Disposition:

- ☐ Contraband Located/Seized.  
☐ No Contraband Located.

## PROPERTY CONTROL

## PROPERTY SHEET

0161750037

16022240

Lab #

AC#

R162393

16022240

TYPE Evidence	VALUE	PROPERTY JONCAS, Edward C Police	PAGE 1
RESPONSIBLE WRK LOC Metro Investigation Div		DATE RECEIVED 06/24/2016	
RESPONSIBLE OFFICER OHNSON, NICHOLAS	RANK Detective	PS# MP70593	WRK Metro Investigation Div
SUBMITTING OFFICER OHNSON, NICHOLAS	RANK Detective	PS# MP70593	WRK Metro Investigation Div
SIGNATURE SUBMITTING OFFICER			DATE PREPARED 06/23/2016

## CIRCUMSTANCES

Items recovered from the scene investigation of Officer Involved Shooting located at 9800 W. Glendale Ave. (Madison Park), Wauwatosa, WI 53225. Incident occurred on 06/23/2016 at 3:07am.

JIS 8-2016

ITEM	QTY	SERIAL #	ITEM DESCRIPTION	\$	STATUS	Delay Months
1	1		Silver .40 caliber Federal S & W Casing PRJ: Casing		XOOT	
2	1		Silver .40 caliber Federal S & W Casing PRJ: Casing		XOOT	
3	1		Silver .40 caliber Federal S & W Casing PRJ: Casing		XOOT	
4	1		Silver .40 caliber Federal S & W Casing PRJ: Casing		XOOT	
5	1		Silver .40 caliber Federal S & W Casing PRJ: Casing		XOOT	
6	1		Silver .40 caliber Federal S & W Casing PRJ: Casing		XOOT	
7	1		White towel with blood stains		HOLD	
8	1		Gold and Diamond praying hands pendent/charm		HOLD	
9	1		Deformed copper jacketed projectile PRJ: Bullet		XOOT	
10	1	G1507283030968	White "Blu" brand touchscreen cell phone		HOLD	
11	1	334-60459	Semi-Automatic Pistol--9mm Ruger SR9c handgun with Silver slide and black handle with a 17 shot capacity magazine Rcv Dst: 0 Tag No: 75495		XOOT	
12	7		9mm Luger CBC copper jacketing unfired cartridges PRJ: Cartridge - unfired		HOLD	

PROPERTY CONTROL

PROPERTY SHEET

0161750037

16022240



Lab #

R162393

AC#

16022240



TYPE Evidence	VALUE	PROPERTY JONCAS, Edward C Police
------------------	-------	-------------------------------------



PAGE

2

RESPONSIBLE WRK LOC

Metro Investigation Div



DATE RECEIVED

06/24/2016

RESPONSIBLE OFFICER

OHNSON, NICHOLAS

RANK  
DetectivePS#  
MP70593WRK  
Metro Investigation Div

SUBMITTING OFFICER

OHNSON, NICHOLAS

RANK  
DetectivePS#  
MP70593WRK  
Metro Investigation Div

SIGNATURE SUBMITTING OFFICER

DATE PREPARED

06/23/2016

EM	QTY	SERIAL #	ITEM DESCRIPTION	\$	STATUS	Delay Months
13	5		9mm Luger RP copper jacketed unfired cartridges PRJ: Cartridge - unfired		HOLD	
14	5		9mm Aguila Copper jacketed unfired cartridges PRJ: Cartridge - unfired		HOLD	
15	1		DVD containing crime scene footage		HOLD	

- NO ITEMS FOLLOW -

*QTS 8-2016*

Message From Terminal/Unit: TIME Operator: TIME  
Date/Time Sent: 23-JUN-2016 11:16:03  
/0368 B563 G840 WIMPD0000 NCIC 258317 2 06/23/16 11  
:16 01 OF 01 1L01B56300258317  
WIMPD0000

NO RECORD SER-OAN/G1507283030968 TYP/YOTHER



☒ OTHER OFFICER TRAINING

### ASSOCIATES / SUSPECTS

A receipt must be given to the person from whose possession the property is taken. Said person should file a Declaration of Claim with the Clerk at (415) 933-2882 between 8:00 a.m., and 4:00 p.m., Monday through Friday, or at the County Clerk's Office at the following address:

Recovery Date: 6-23-16	Recovery Time: 3:08 AM	Recovery Address: 9800 W. GLENDALE AVE	City: WILMINGTON	Zip Code: 53225
Vehicle Information: 2006 Nissan	Make: Nissan	Model: ALTIMA 2.5 S	Year: 2006	License Plate No.: 749-USD
TYPE OF DRUGS RECOVERED:			QUANTITY:	

Circumstances: THIS REPORT IS WRITTEN BY: Det. Nicholas Johnson On 6-23-16 at 3:03 AM, WILMINGTON P.O. JOSEPH MENSAH was conducting a Park Check at Madison Park 9800 W. Glendale Ave. He observed the subject, Jay L. Anderson (b/m 7-4-90) in the front driver seat of the above listed vehicle. Anderson was by himself and in the front driver seat. P.O. Mensah attempted to do a vehicle contact and observed a handgun on the front passenger seat of the vehicle. P.O. Mensah observed Anderson reach for the gun and fearing for his safety he shot at Anderson striking him multiple times. Anderson died as a result of his injuries.

Officer: <u>Det. Nick Johnson</u>	Payroll No. <u>061252</u>	Dist/Bureau: <u>Met</u>	Date: <u>6-23-16</u>																									
<table border="0"> <tr> <td><input type="checkbox"/> DERRINGER</td> <td><input checked="" type="checkbox"/> PISTOL</td> <td><input type="checkbox"/> AUTOMATIC</td> <td><input type="checkbox"/> BLANK</td> <td><input type="checkbox"/> SINGLE SHOT</td> </tr> <tr> <td><input type="checkbox"/> RIFLE-SHOTGUN COMBO</td> <td><input type="checkbox"/> RIFLE</td> <td><input type="checkbox"/> PUMP ACTION</td> <td><input checked="" type="checkbox"/> SEMI-AUTO</td> <td><input type="checkbox"/> PERCUSSION</td> </tr> <tr> <td><input type="checkbox"/> SHOTGUN</td> <td></td> <td><input type="checkbox"/> SIDE BY SIDE</td> <td><input type="checkbox"/> REVOLVER</td> <td><input type="checkbox"/> LEVER ACTION</td> </tr> <tr> <td><input type="checkbox"/> SUBMACHINE GUN</td> <td></td> <td><input type="checkbox"/> OVER / UNDER</td> <td><input type="checkbox"/> FLINTLOCK</td> <td><input type="checkbox"/> BOLT</td> </tr> <tr> <td><input type="checkbox"/> OTHER</td> <td></td> <td><input type="checkbox"/> OTHER</td> <td></td> <td></td> </tr> </table>				<input type="checkbox"/> DERRINGER	<input checked="" type="checkbox"/> PISTOL	<input type="checkbox"/> AUTOMATIC	<input type="checkbox"/> BLANK	<input type="checkbox"/> SINGLE SHOT	<input type="checkbox"/> RIFLE-SHOTGUN COMBO	<input type="checkbox"/> RIFLE	<input type="checkbox"/> PUMP ACTION	<input checked="" type="checkbox"/> SEMI-AUTO	<input type="checkbox"/> PERCUSSION	<input type="checkbox"/> SHOTGUN		<input type="checkbox"/> SIDE BY SIDE	<input type="checkbox"/> REVOLVER	<input type="checkbox"/> LEVER ACTION	<input type="checkbox"/> SUBMACHINE GUN		<input type="checkbox"/> OVER / UNDER	<input type="checkbox"/> FLINTLOCK	<input type="checkbox"/> BOLT	<input type="checkbox"/> OTHER		<input type="checkbox"/> OTHER		
<input type="checkbox"/> DERRINGER	<input checked="" type="checkbox"/> PISTOL	<input type="checkbox"/> AUTOMATIC	<input type="checkbox"/> BLANK	<input type="checkbox"/> SINGLE SHOT																								
<input type="checkbox"/> RIFLE-SHOTGUN COMBO	<input type="checkbox"/> RIFLE	<input type="checkbox"/> PUMP ACTION	<input checked="" type="checkbox"/> SEMI-AUTO	<input type="checkbox"/> PERCUSSION																								
<input type="checkbox"/> SHOTGUN		<input type="checkbox"/> SIDE BY SIDE	<input type="checkbox"/> REVOLVER	<input type="checkbox"/> LEVER ACTION																								
<input type="checkbox"/> SUBMACHINE GUN		<input type="checkbox"/> OVER / UNDER	<input type="checkbox"/> FLINTLOCK	<input type="checkbox"/> BOLT																								
<input type="checkbox"/> OTHER		<input type="checkbox"/> OTHER																										
MANUFACTURER <u>Ruger</u>		MODEL <u>SR9C</u>	CALIBER <u>9mm</u>	BARREL LENGTH <u>      </u>	SHOT CAPACITY <u>17</u>																							
SERIAL #: YES <u>334-60459</u>		NONE <u>      </u>			OBLITERATED OR ALTERED <u>      </u>																							
FINISH <u>Silver over black</u>		IMPORTER <u>Smith Wesson</u>	IMPORTER / CITY / STATE <u>Prescott AZ U.S.A</u>																									
M.P.D. SEAL # <u>76495</u>		OTHER MARKINGS <u>      </u>		COUNTRY OF ORIGIN <u>U.S.A</u>																								

CHECKED AT DIST./BUR. FOR STOLEN: LOCALLY yes NCIC yes STOLEN: YES/NO NO  
 (When submitting the firearm paperwork, please include any other documents pertaining to hits, etc.)

REVIEWED AT DIST/BUR BY: Paul Varatton RANK LT DATE 6/23/16

FOR GUN DESK USE ONLY												
Owner's Last Name	First	M.I.	Sex	Race	Date of Birth							
Address		City		Zip Code	Phone							
Certifies that he/she: <table border="0"> <tr> <td>1. Has not been convicted of a felony.</td> <td>2. Has not been dishonorably discharged from the Armed Forces</td> </tr> <tr> <td>3. Has not been adjudged mentally incompetent.</td> <td>4. Has not renounced his/her U.S. citizenship.</td> </tr> <tr> <td colspan="2">5. Is not an illegal alien in the U.S.</td> </tr> </table>							1. Has not been convicted of a felony.	2. Has not been dishonorably discharged from the Armed Forces	3. Has not been adjudged mentally incompetent.	4. Has not renounced his/her U.S. citizenship.	5. Is not an illegal alien in the U.S.	
1. Has not been convicted of a felony.	2. Has not been dishonorably discharged from the Armed Forces											
3. Has not been adjudged mentally incompetent.	4. Has not renounced his/her U.S. citizenship.											
5. Is not an illegal alien in the U.S.												

9.3

0758-2016

Message From Terminal/Unit: TIME Operator: TIME  
Date/Time Sent: 23-JUN-2016 11:15:30  
/0386 B563 G840 WIMPD0000 NCIC 258067 1 06/23/16 11  
:15 01 OF 01 1L01B56300258067  
WIMPD0000

NO RECORD SER/33460459

94

OIS 8-2016

Milwaukee Police Department PROPERTY CONTROL SECTION		IN# 0161750037	AC# 16022241	*16022241	
OFFICER DROP RECEIPT		INV	Lab #	Drop Off Time 06/23/2016 11:29:44 AM	
RESPONSIBLE WORK [95] - Metro Investigation Div			Other#	PAGE 1	
RESPONSIBLE OFFICER [016252] - DET NICHOLAS JOHNSON			TYPE SAFE		
SUBMITTING OFFICER [016252] - DET NICHOLAS JOHNSON					
CIRCUMSTANCES					
Money recovered from the vehicle involved in an officer involved shooting that occurred on 06/23/2016 at 9800 W. Glendale Ave., Wauwatosa WI					
OIS 8-2016					
ITEMS					
itm no	qty	ACE generated description	d r	i d	user description
1	1	\$FR - Money [\$5.00] - money-\$5.00 bill *16022241 1			money-\$5.00 bill DOLLAR AMT: \$5.00
2	1	\$FR - Money [\$3.00] - money 3 x \$1.00 bills *16022241 2			money 3 x \$1.00 bills DOLLAR AMT: \$3.00
95 Approval Copy			TOTAL MONEY RECEIVED \$8.00		TOTAL ITEMS 2
DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING					
Supervisor sign here: Print name here			PS# MP61238	Wrk Loc 91	Approved 91

PROPERTY CONTROL

PROPERTY SHEET

0161750037

16022245

Lab #

AC#

16022245

TYPE

Evidence

VALUE

PROPERTY

JONCAS, Edward C Police

PAGE

1

RESPONSIBLE WRK LOC

Metro Investigation Div

DATE RECEIVED

06/24/2016

RESPONSIBLE OFFICER

ADZALINSKI, Matthew

RANK

Detective

PS#

MP72262

WRK

Metro Investigation Div

SUBMITTING OFFICER

EYTSMAN, DAWN E

RANK

Forensic

PS#

MP60815

WRK

invest Manage Div - D

SIGNATURE SUBMITTING OFFICER

DATE PREPARED

06/23/2016

Victim(s)

LAST NAME

Anderson

FIRST NAME

Jay

MI

L

DATE OF BIRTH

07/04/1990

STREET ADDRESS

0044 W. Congress St #10

Milwaukee, WI 53225

CIRCUMSTANCES

THIS OCCURRED ON 06/23/2016 AT 9800 W GLENDALE AVE (WAUWATOSA)

EM	QTY	SERIAL #	ITEM DESCRIPTION	\$	STATUS	Delay Months
1	2		1-POSS DNA SAMPLE FROM EDGES OF CLEAR FOLD TOP BAGGIE ITEM 1 16022217		HOLD	

- NO ITEMS FOLLOW -

Milwaukee Police Department PROPERTY CONTROL SECTION		IN# <b>0161750037</b>	AC# <b>16022260</b>	<b>*16022260</b>		
<b>OFFICER DROP RECEIPT</b>		INV	Lab #	Drop Off Time <b>06/23/2016 01:44:25 PM</b>		
RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>			Other#	PAGE <b>1</b>		
RESPONSIBLE OFFICER <b>[010266] - DET LUKE G. O'DAY</b>			TYPE <b>EVID</b>			
SUBMITTING OFFICER <b>[004609] - PSS Michael R BRAUNREITER</b>						
<b>CIRCUMSTANCES</b>						
Items of evidence recovered during the autopsy procedure, WAUWATOSA POLICE OFFICER SHOOTING occurred on 06/23/2016 at 9800 W. Glendale Ave., Wauwatosa WI.						
<b>PEOPLE</b>						
1	name <b>Anderson, Jay</b>  phone  date of birth <b>07/04/1990</b>	address <b>10044 W. Congress St. #10 Milwaukee, WI. 53225</b>	Relationship(s): Victim			
<b>ITEMS</b>						
itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	Y - Victim's dried blood stain/standard. <b>*16022260__1</b>			F	Victim's dried blood stain/standard.
2	1	WF - Five (5) grain of bullet fragments recovered <b>*16022260__2</b>				Five (5) grain of bullet fragments recovered from the victim's hair.
3	1	WF - 162 grain deformed copper jacketed bullet <b>*16022260__3</b>				162 grain deformed copper jacketed bullet recovered from the back of the victim's neck.
4	1	WF - 182 grain deformed copper jacketed bullet <b>*16022260__4</b>				182 grain deformed copper jacketed bullet recovered from the victim's upper left side of back.
5	1	Y - Pubic hair pulled from the victim. <b>*16022260__5</b>			F	Pubic hair pulled from the victim.
6	1	Y - Victim's right fingernail clippings. <b>*16022260__6</b>			F	Victim's right fingernail clippings.
7	1	Y - Victim's left fingernail clippings with clipper. <b>*16022260__7</b>			F	Victim's left fingernail clippings with clipper.
<div style="display: flex; justify-content: space-between; align-items: center;"> <span style="font-size: 2em;">97</span> <span>Approval Copy</span> </div>					TOTAL ITEMS <b>9</b>	
<b>DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING</b>						
Supervisor sign here: Print name here			PS# <b>MP61238</b>	Wrk Loc <b>91</b>	<input checked="" type="checkbox"/> Approved	



Milwaukee Police Department PROPERTY CONTROL SECTION <b>OFFICER DROP RECEIPT</b>	IN# <b>0161750037</b>	AC# <b>16022260</b>	<b>*16022260</b>
	INV	Lab #	

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>2</b>
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RESPONSIBLE OFFICER <b>[010266] - DET LUKE G. O'DAY</b>	TYPE <b>EVID</b>
--	---------------------

SUBMITTING OFFICER <b>[004609] - PSS Michael R BRAUNREITER</b>
---

ITEMS						
itm no	qty	ACE generated description	d r	i d	flags	user description
8	1	Y - Brown paper bag used to protect the victim's *16022260 8			✓	Brown paper bag used to protect the victim's right hand.
9	1	Y - Brown paper bag used to protect the victim's *16022260 9			✓	Brown paper bag used to protect the victim's left hand.

<b>98</b>	<b>Approval Copy</b>	TOTAL ITEMS <b>9</b>
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DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING			
Supervisor sign here: Print name here	PS# <b>MP61238</b>	Wrk Loc <b>91</b>	<input type="checkbox"/> Approved

PROPERTY CONTROL

PROPERTY SHEET

0161750037

16022269

Lab #

R162393

AC#

16022269

TYPE

Evidence

VALUE

PROPERTY

JONCAS, Edward C Police

PAGE

1

RESPONSIBLE WRK LOC

Metro Investigation Div

DATE RECEIVED

06/24/2016

RESPONSIBLE OFFICER

JOHNSON, NICHOLAS

RANK

Detective

PS#

MP70593

WRK

Metro Investigation Div

SUBMITTING OFFICER

T. CLAIR, Chet

RANK

Forensic

PS#

MP71063

WRK

Invest Manage Div - D

SIGNATURE SUBMITTING OFFICER

DATE PREPARED

06/23/2016

CIRCUMSTANCES

Recovered for Wauwatosa PD officer-involved shooting - occurred 06-23-2016 @ 9800 W Glendale Ave.

ITEM	QTY	SERIAL #	ITEM DESCRIPTION	\$	STATUS	Delay Months
1	2		Cotton swabs - possible DNA evidence from the grip and trigger area of a black and silver Ruger 9mm pistol, S/N 334-60459 (16022240 #11)		XOOT	
2	2		Cotton swabs - possible DNA evidence from the slide of a Ruger 9mm pistol, S/N 334-60459 (16022240 #11)		XOOT	
3	2		Cotton swabs - possible DNA evidence from the barrel of a Ruger 9mm pistol, S/N 334-60459 (16022240 #11)		XOOT	
4	2		Cotton swabs - possible DNA evidence from the magazine from a Ruger 9mm pistol (16022240 #11)		XOOT	

- NO ITEMS FOLLOW -

PROPERTY CONTROL

PROPERTY SHEET

0161750037

16022273

Lab #

AC#

16022273

TYPE

Evidence

VALUE

PROPERTY

JONCAS, Edward C Police

PAGE

1

RESPONSIBLE WRK LOC

Metro Investigation Div

DATE RECEIVED

06/24/2016

RESPONSIBLE OFFICER

M'DAY, LUKE G.

RANK

Detective

PS#

MP64290

WRK

Metro Investigation Div

SUBMITTING OFFICER

T. CLAIR, Chet

RANK

Forensic

PS#

MP71063

WRK

invest Manage Div - D

SIGNATURE SUBMITTING OFFICER

DATE PREPARED

06/23/2016

Victim(s)

LAST NAME

Jensah

FIRST NAME

Joseph

MI

A

DATE OF BIRTH

STREET ADDRESS

700 N 116th St.

Wauwatosa, WI

CIRCUMSTANCES

Recovered for Wauwatosa PD officer-involved shooting - occurred 06-23-2016 @ 9800 W Glendale Ave.

EM	QTY	SERIAL #	ITEM DESCRIPTION	\$	STATUS	Delay Months
1	2		Cotton swabs - possible DNA evidence from the grip and trigger area of a black Glock .40 pistol, S/N UFB860 (16022232 #2)		HOLD	
2	2		Cotton swabs - possible DNA evidence from the slide of a Glock .40 pistol, S/N UFB860 (16022232 #2)		HOLD	
3	2		Cotton swabs - possible DNA evidence from the barrel of a Glock .40 pistol, S/N UFB860 (16022232 #2)		HOLD	
4	2		Cotton swabs - possible DNA evidence from the magazine from a Glock .40 pistol (16022232 #2)		HOLD	
5	2		Cotton swabs - possible DNA evidence from ten unfired .40 cartridges (16022232 #1)		HOLD	

- NO ITEMS FOLLOW -

PROPERTY CONTROL

PROPERTY SHEET

0161750037

16022722



Lab #

AC#

16022722



TYPE Evidence	VALUE	PROPERTY RADTKE, CARRIE R Police
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PAGE

1

RESPONSIBLE WRK LOC

Metro Investigation Div



DATE RECEIVED

06/27/2016

RESPONSIBLE OFFICER

DAY, LUKE G.

RANK  
Detective

PS#

MP64290

WRK

Metro Investigation Div

SUBMITTING OFFICER

DAY, LUKE G.

RANK  
Detective

PS#

MP64290

WRK

Metro Investigation Div

SIGNATURE SUBMITTING OFFICER

DATE PREPARED

06/27/2016

Victim(s)

LAST NAME Jensah	FIRST NAME Joseph	MI A	DATE OF BIRTH
---------------------	----------------------	---------	---------------



STREET ADDRESS

700 N 116th St.

Wauwatosa, WI

CIRCUMSTANCES

sqd video recovered during the OIS 2016-8 that occurred on 6-23-16 at 9800 W. Glendale St.

ITEM	QTY	SERIAL #	ITEM DESCRIPTION	\$	STATUS	Delay Months
1	2		plastic zip tie containing two flash drives: 1 - sqd cam video / radio traffic 2 - Madison school surveillance video		HOLD	

- NO ITEMS FOLLOW -

PROPERTY CONTROL

PROPERTY SHEET

0161750037

16022960



Lab #

AC#

16022960



TYPE Evidence	VALUE	PROPERTY HOYT, Steven P. Police Officer
------------------	-------	--



PAGE

1

RESPONSIBLE WRK LOC

Metro Investigation Div



DATE RECEIVED

06/29/2016

RESPONSIBLE OFFICER

TLLARREAL, ERIK K



RANK Detective	PS# MP59092	WRK Metro Investigation Div
-------------------	----------------	--------------------------------

SUBMITTING OFFICER

ANFIL, Yvette P.



RANK Forensic	PS# MP64256	WRK invest Manage Div - D
------------------	----------------	------------------------------

SIGNATURE SUBMITTING OFFICER

DATE PREPARED

06/28/2016

Victim(s)

LAST NAME ANDERSON	FIRST NAME Jay	MI L	DATE OF BIRTH 07/04/1990
-----------------------	-------------------	---------	-----------------------------



STREET ADDRESS

026 W Medford Ave

Milwaukee, WI 53225

CIRCUMSTANCES

Sample taken from auto involved in a homicide investigation occ 9800 w glendale on 6/23/16

ITEM	QTY	SERIAL #	ITEM DESCRIPTION	\$	STATUS	Delay Months
1	2		blood from drivers seat of auto		HOLD	

- NO ITEMS FOLLOW -

Milwaukee Police Department PROPERTY CONTROL SECTION	IN# <b>0161750037</b>	AC# <b>16022963</b>	<b>*16022963</b>
<b>OFFICER DROP RECEIPT</b>	INV	Lab #	Drop Off Time <b>06/28/2016 02:57:22 PM</b>

RESPONSIBLE WORK <b>[95] - Metro Investigation Div</b>	Other#	PAGE <b>1</b>
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RESPONSIBLE OFFICER <b>[007038] - DET ERIK K VILLARREAL</b>	TYPE <b>EVID</b>
--	---------------------

SUBMITTING OFFICER <b>[007038] - DET ERIK K VILLARREAL</b>
---

**CIRCUMSTANCES**

Evidence recovered regarding OIS #8 of 2016, processing suspect vehicle on June 28, 2016, at the tow lot.

**PEOPLE**

1	name <b>ANDERSON, Jay L</b>	address <b>8026 W Medford Ave Milwaukee, WI 53225</b>	Relationship(s): Victim
	phone		

**ITEMS**

itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	WF - Small bullet fragment <b>*16022963 1</b>				Small bullet fragment
2	1	Y - Paper- Transaction record from VK Petro on <b>*16022963 2</b>				Paper- Transaction record from VK Petro on June 21, 2016 @ 5:57 am

<b>103</b>	<b>Approval Copy</b>	TOTAL ITEMS <b>2</b>
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DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING

Supervisor sign here	PS# <b>MP58390</b>	Wrk Loc <b>01</b>	<input type="checkbox"/> Approved
----------------------	-----------------------	----------------------	-----------------------------------



Milwaukee Police Department PROPERTY CONTROL SECTION		IN# OIS0082016		AC# 16024814		*16024814	
<b>OFFICER DROP RECEIPT</b>		INV		Lab #		Drop Off Time 07/13/2016 04:08:03 PM	
RESPONSIBLE WORK [95] - Metro Investigation Div				Other#		PAGE 1	
RESPONSIBLE OFFICER [010266] - DET LUKE G. O'DAY				TYPE EVID			
SUBMITTING OFFICER [006708] - DET Gilbert R CARRASCO							
CIRCUMSTANCES							
Recovered from suspects auto regarding OIS-8-2016 that occurred at 9800 W. Glendale, Wauwatosa, WI. on 6/23/16.							
ITEMS							
itm no	qty	ACE generated description	d r	i d	flags	user description	
1	1	Y - Samsung smart phone model SGH1577, black  *16024814__1				Samsung smart phone model SGH1577, black in color. Recovered from suspect's auto. SER #: R21CC1B5LFW	
104 Approval Copy						TOTAL ITEMS 1	
DROP APPROVAL REQUIRES SIGNATURE OF SOUTH INVESTIGATION DIV WORK LOCATION SUPERVISING							
Supervisor sign here: Print name here				PS# MP61238		Wrk Loc 91	
Case 2:21-cv-00848-LA Filed 08/22/23 Page 147 of 215 Document 91-9						Approved	

# MILWAUKEE POLICE DEPARTMENT

## MEMORANDUM



DATE: 06-24-2016

TO: Aaron RAAP  
Captain of Police

FR: Detective Nicholas JOHNSON

RE: Transmittal of Evidence to Wisconsin Regional Crime Lab

Request evidence in the below described case be transmitted to the Wisconsin Regional Crime Lab for examination:

OFFENSE: Att. Homicide

MPD FILE NUMBER: Officer Involved Shooting 08-2016

MPD IR # 16-175-0037

COURT CASE NUMBER:

CRIME LAB NUMBER:

VICTIM: PO Joseph Mensah

SUSPECT: Jay L. ANDERSON Jr. (B/M, 07/04/1990)

LOCATION: 9800 W. Glendale Ave. Wauwatosa, WI

DATE: 06-23-2016

ISSUING D.A.:

STATUS OF SUSPECT: Deceased

### DESCRIPTION OF EVIDENCE

A. Glock 22, Black .40 caliber handgun serial # UFB860 placed on Milwaukee Police Department Inv# 16022232 as Item #2

B. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022232 as Item #2

- C. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #2
- D. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #3
- E. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #4
- F. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #5
- G. Silver .40 caliber Federal S&W spent cartridge casing placed on Milwaukee Police Department Inv# 16022240 as Item #6
- H. Deformed copper jacketed bullet placed on Milwaukee Police Department inv # 16022240 Item # 9.
- I. Ruger SR9c 9mm handgun with a silver slide and black handle, serial # 334-60459 placed on Milwaukee Police Department Inv# 16022240 as item # 11
- J. DNA swabs collected from the grip and trigger of the 9mm Ruger (Item I) placed on Milwaukee Police Department inv # 16022269 item 1.
- K. DNA swabs collected from the slide of the 9mm Ruger (Item I) placed on Milwaukee Police Department inv # 16022269 item 2.
- L. DNA swabs collected from the barrel the 9mm Ruger (Item I) placed on Milwaukee Police Department inv # 16022269 item 3
- M. DNA swabs collected from the magazine of the 9mm Ruger (Item I) placed on Milwaukee Police Department inv # 16022269 item 4.
- N. Dried blood standard collected from ANDERSON placed on Milwaukee Police Department Inv# 16022260 as Item #1
- O. Five (5) grain of bullet fragments placed on Milwaukee Police Department Inv# 16022260 as Item #2
- P. 162 grain deformed copper jacketed bullet placed Milwaukee Police Department Inv# 16022260 as Item #3
- Q. 162 grain deformed copper jacketed bullet placed Milwaukee Police Department Inv# 16022260 as Item #4

#### EXAMINATION OF EVIDENCE

It is requested that items A (Glock 22 serial # UFB860 ) and I (9mm Ruger SR9c serial # 34-60459) be examined to determine functionability and trigger pull.

It is requested that Items B, C, D, E, F, and G be examined and compared to Items A and I.

It is requested that items H, O, P, and Q be examined and determine (if possible) the caliber, make or type of firearm these projectiles originated from along with examining these items to determine if they were fired from the submitted guns, items A and I. Further request that these items be examined for any other trace evidence you deem appropriate.

It is requested that an examination be performed to determine genetic profile of items J, K, L, and M. Item N is supplied as a comparison standard to any questioned DNA evidence determined in physical evidence within this transmittal.

#### **STATEMENT OF FACTS**

On 6-23-2016, Wauwatosa Police Officer MENSAH was conducting an After Hour Park check at Madison Park located at 9800 W. Glendale Ave. Officer MENSAH observed the suspect asleep in a 2006 Nissan Altima. PO MENSAH attempted to awake the suspect and when he did, he observed a semi-auto handgun next to the suspect. The suspect was ordered to keep his hands up, however the suspect then made movement for his handgun. PO MENSAH fearing for his safety, discharged his duty weapon, striking the suspect several times. The suspect died as a result of his injuries.

#### **WHERE ITEMS OBTAINED**

Items A was recovered from PO MENSAH at the Wauwatosa Police Department at 1700 N 116<sup>th</sup> ST. Items B thru I were recovered from the scene of the incident at 9800 W. Glendale Ave (Madison Park), Wauwatosa, WI. Items J through M were recovered from suspects gun at the Milwaukee Police Department Administration Building located at 749 W. State St. Items N through Q were recovered from ANDERSON's body at the Medical Examiners Office.

**\*\*Note**, when items of evidence are ready to be returned, request that the Criminal Investigation Bureau be notified.

Respectfully submitted

Detective Nicholas JOHNSON – P.S. #016252  
Metropolitan Investigation Division/Late Shift.

**WISCONSIN DEPARTMENT OF JUSTICE  
DIVISION OF LAW ENFORCEMENT SERVICES  
STATE CRIME LABORATORY - MILWAUKEE**

OIS-8-2016

1578 South 11th Street  
Milwaukee, WI 53204-2860  
(414) 382-7500  
FAX (414) 382-7507

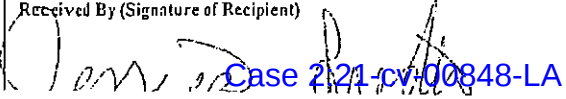
CASE NO: R16-2393 DATE: 6/24/2016 TIME: 12:34PM  
SUB AGENCY NO: 16-175-0037 REC'D VIA: In Person  
SUBMITTED BY: Det. Brett Huston AGENCY: Milwaukee Police Department

Name Type	Last Name	First Name	Middle Name	Sex	Race	Date Of Birth
Suspect	Anderson, Jr	Jay	L.	M	B	7/4/1990
Officer	Mensah	Joseph				

## Submission Comments

Item	Description / Source
A	One sealed cardboard box containing handgun Glock 22, .40 caliber, SER# UFB860 (agency inv. # 16022232-2)
B	One sealed manila envelope containing fired cartridge case(s) .40 cal, Federal S&W (agency inv. # 16022240-1)
C	One sealed manila envelope containing fired cartridge case(s) .40 cal, Federal S&W (agency inv. # 16022240-2)
D	One sealed manila envelope containing fired cartridge case(s) .40 cal, Federal S&W (agency inv. # 16022240-3)
E	One sealed manila envelope containing fired cartridge case(s) .40 cal, Federal S&W (agency inv. # 16022240-4)
F	One sealed manila envelope containing fired cartridge case(s) .40 cal, Federal S&W (agency inv. # 16022240-5)
G	One sealed manila envelope containing fired cartridge case(s) .40 cal, Federal S&W (agency inv. # 16022240-6)
H	One sealed manila envelope containing fired bullet(s) (agency inv. # 16022240-9)
I	One heat-sealed plastic bag containing handgun Ruger SR9c 9mm, SER # 334-60459 (agency inv. # 16022240-11)
J	One sealed manila evidence envelope containing swab(s) from the grip and trigger of a 9mm Ruger (Item I) (agency inv. # 16022269-1)
K	One sealed manila evidence envelope containing swab(s) from the slide of a 9mm Ruger (item I) (agency inv. # 16022269-2)
L	One sealed manila evidence envelope containing swab(s) from the barrel of a 9mm Ruger (item I) (agency inv. # 16022269-3)
M	One sealed manila evidence envelope containing swab(s) from the magazine of a 9mm Ruger (item I) (agency inv. # 16022269-4)
N	One sealed paper bag containing dried blood standard reportedly recovered from Jay L. Anderson, Jr (agency inv. # 16022260-1)
O	One sealed paper bag containing fired bullet fragment(s) 5 grain (agency inv. # 16022260-2)
P	One sealed paper bag containing fired bullet fragment(s) 162 grain (agency inv. # 16022260-3)
Q	One sealed paper bag containing fired bullet fragment(s) 162 grain (agency inv. # 16022260-4)

108 All item descriptions are as provided by the submitter and are subject to verification.

Received By (Signature of Recipient) 	Date: <u>6/24/2016</u>	Print Name Jessica C. Lieske
--	---------------------------	---------------------------------



0258-2016

Wisconsin Department of Justice  
Division of Law Enforcement Services  
State Crime Laboratory-Milwaukee  
1578 South 11th Street  
Milwaukee, WI 53204-2860  
(414) 382-7500  
FAX (414) 382-7507

Submitting Agency:

Chief Edward A. Flynn  
Attn: Det. Nicholas Johnson  
Milwaukee Police Department  
749 West State Street  
P.O. Box 531  
Milwaukee WI 53201

Date: July 07, 2016

Case No: R16-2393

Report No: 1

Agency No: 16-175-0037

Laboratory Analyst:

*Michelle M. Burns*

Michelle M. Burns  
(DNA Analysis)

EOS  
7.7.16

Case Name: Anderson, Jr, Jay L. (S)

I do hereby certify this document, consisting of 2 page(s), to be a true and correct report of the findings of the State Crime Laboratory on the items examined as shown by this report. This report contains the conclusions of the above signed analyst.

Brad D. Schimel  
ATTORNEY GENERAL

*Nicole G. Roehm* 7/13/16  
DESIGNEE

The following items of evidence were examined in the DNA Analysis Unit of this Crime Laboratory:

- Item J - swabs from the grip and trigger of a Ruger (Milwaukee P.D. Inv. #16022269-1)
- Item K - swabs from the slide of a Ruger (Milwaukee P.D. Inv. #16022269-2)
- Item L - swabs from the barrel of a Ruger (Milwaukee P.D. Inv. #16022269-3)
- Item M - swabs from the magazine of a Ruger (Milwaukee P.D. Inv. #16022269-4)
- Item N - blood standard from Jay L. Anderson, Jr. (Milwaukee P.D. Inv. #16022260-1)

Results

Samples from the pistol swabs (Items J, K, L, and M) were prepared for analysis and sub-designated as Items J1, K1, L1, and M1. A sample from the standard from Jay L. Anderson, Jr (Item N) was prepared for analysis and sub-designated as Item N1.

Human DNA was isolated from the pistol swabs (Items J1, K1, L1, and M1) and the standard from Jay L. Anderson, Jr (Item N1). This DNA was amplified with the polymerase chain reaction (PCR) method and typed for fifteen short tandem repeat (STR) genetic markers and amelogenin, a gender-specific genetic marker, using the Promega PowerPlex® 16 HS amplification kit.

Autosomal STR DNA Conclusions

A single source STR DNA profile was detected from the standard from Jay L. Anderson, Jr (Item N1).

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The laboratory reserves the right to choose the items which will be tested and the methods which will be used to test them.





An STR DNA profile that is a mixture of DNA from at least three individuals was detected from the pistol grip and trigger swabs (Item J1). Assuming DNA from only three individuals in this mixture, a major male contributor can be determined at nine genetic markers. The major contributor STR DNA profile determined from Item J1 is consistent with the STR DNA profile detected from Jay L. Anderson, Jr. The probability of randomly selecting the observed STR DNA profile from a population of unrelated individuals is approximately one in 4.8 trillion. The minor component STR data obtained from Item J1 does not support any comparisons to other STR DNA profiles due to the limited amount of genetic information available.

STR DNA profiles that are mixtures of DNA from at least three individuals were detected from the pistol slide swabs (Item K1), pistol barrel swabs (Item L1), and pistol magazine swabs (Item M1). Each mixture includes at least one male contributor. The STR data obtained from Item K1, Item L1, and Item M1 do not support any comparisons to other STR DNA profiles due to the complexity of the mixtures.

Statistical calculations were performed using population statistics from databases of unrelated African American, Caucasian, and Hispanic individuals from the Federal Bureau of Investigation (Budowle, *et al. Journal of Forensic Sciences* 2001; 46(3): 453-489 and Moretti, *et al. Erratum. Journal of Forensic Sciences* 2015; 60(4): 1114-1116) and a published database from Levedakou, *et al. ([published erratum appears in Journal of Forensic Sciences* 2001; 46(6): 1553]; *Journal of Forensic Sciences* 2001; 46(3): 736-761).

Identical siblings will share the same STR DNA profile.

The major contributor STR DNA profile determined from the pistol grip and trigger swabs (Item J1) is not eligible for entry into the Forensic Index of the Combined DNA Index System (CODIS).

The STR DNA profile detected from the standard from Jay L. Anderson, Jr (Item N1) was entered into this laboratory's Quality Assurance Index of CODIS. All profiles entered into this Index will be searched against other profiles developed by the State Crime Laboratory in Milwaukee as part of our quality assurance process and then removed after a period of approximately three months. Any significant matches that would constitute an investigative lead for an agency will be reported to that agency per our laboratory's policy.

#### Evidence Disposition

The DNA evidence will be returned to the submitting agency upon completion of analysis.



OIS 8 2016

Wisconsin Department of Justice  
Division of Law Enforcement Services  
State Crime Laboratory-Milwaukee  
1578 South 11th Street  
Milwaukee, WI 53204-2860  
(414) 382-7500  
FAX (414) 382-7507

Submitting Agency:

Chief Edward A. Flynn  
Attn: Det. Nicholas Johnson  
Milwaukee Police Department  
749 West State Street  
P.O. Box 531  
Milwaukee WI 53201

Date: July 08, 2016

Case No: R16-2393

Report No: 2

Agency No: 16-175-0037

Laboratory Analyst:

Xai Xiong

(Firearms and Toolmarks Examiner)

Case Name: Anderson, Jr, Jay L. (S)

I do hereby certify this document, consisting of 1 page(s), to be a true and correct report of the findings of the State Crime Laboratory on the items examined as shown by this report. This report contains the conclusions of the above signed analyst.

Brad D. Schimel

ATTORNEY GENERAL

DESIGNEE

7/13/16

The following findings reflect the professional opinion of the examiner authoring this report.

The Glock model 22 Gen4, 40 caliber, semi-automatic pistol, serial number UFB860 (Item A) was examined, test fired, and found to be mechanically functional.

Examination of Items B through G revealed six (6) fired 40 caliber cartridge cases.

Further examination of Items B through G with test fired cartridge cases from Item A revealed Items B through G were fired in the submitted Glock semi-automatic pistol (Item A).

Examination of the three (3) fired jacketed hollow point bullets (Items H, P, & Q) revealed they are 40 caliber and fired through a firearm barrel rifled with six (6) lands and grooves with a right hand twist.

Further examination of Items H, P, & Q with test fired bullets from Item A revealed Items H, P, & Q were fired through the barrel of the submitted Glock semi-automatic pistol (Item A).

The Ruger model SR9c, 9mm caliber, semi-automatic pistol, serial number 334-60459 (Item I) was examined, test fired, and found to be mechanically functional.

Examination of Item O revealed four (4) lead fragments not suitable for further firearm identification comparison.

COPYING AND DISTRIBUTION OF THIS REPORT IS THE RESPONSIBILITY OF THE SUBMITTING AGENCY  
The laboratory reserves the right to choose the items which will be tested and the methods which will be used to test them.



015 2016-8

Office of the Medical Examiner  
**Milwaukee County**

TO: Brian Peterson, MD  
Medical Examiner  
Milwaukee County

DATE: 6-23-16

FROM:

I request that all information pertaining to the death of Day L. Anderson be exempt from public disclosure at this time. This non-disclosure shall be in effect for 30 days and then expire unless renewed.

The matter is the subject of an ongoing investigation and any disclosure at this time may seriously impede the investigation.

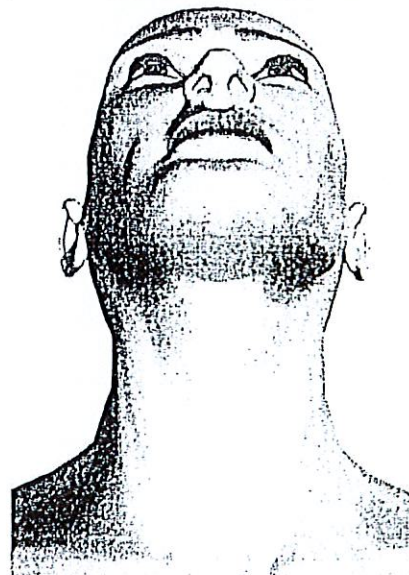
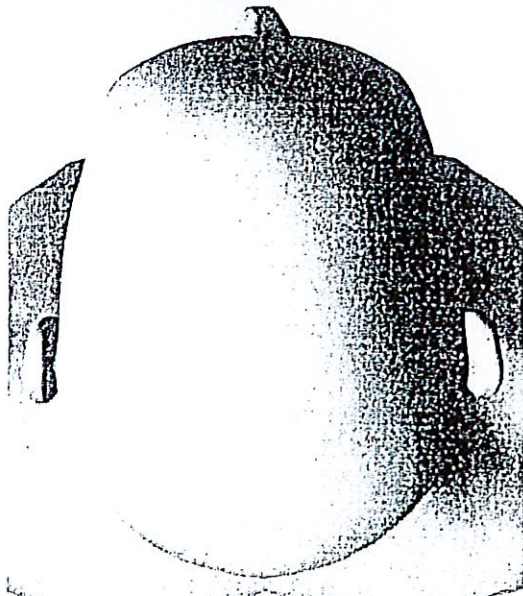
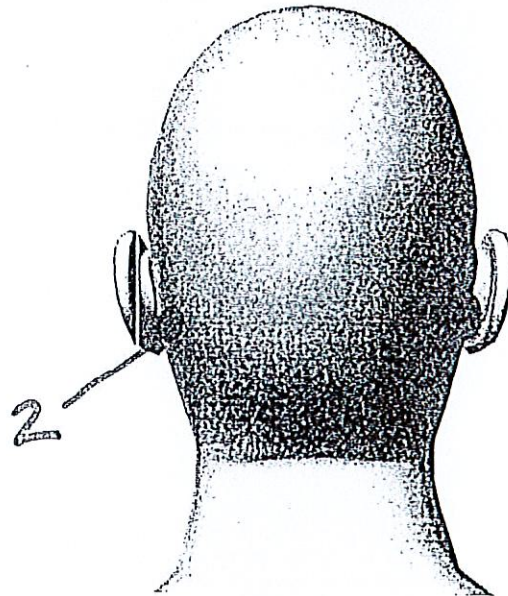
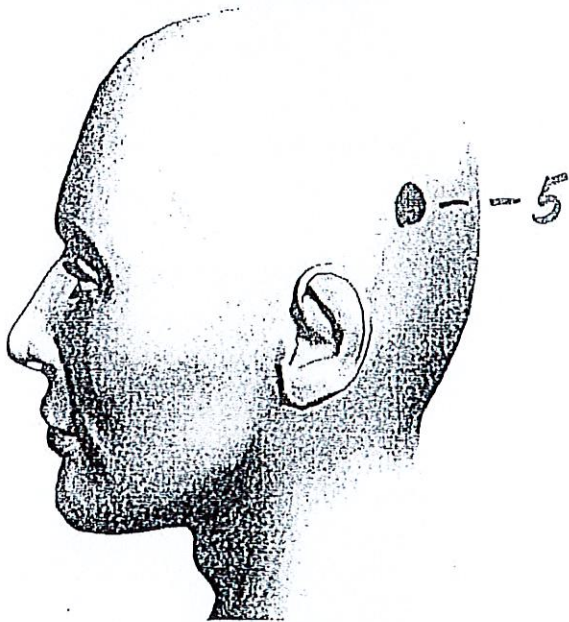
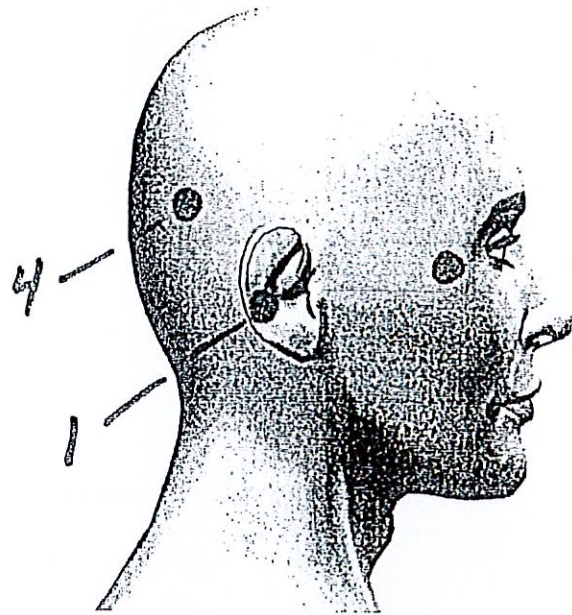
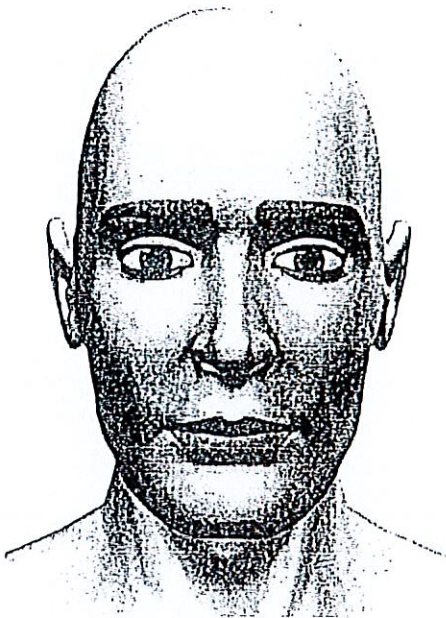
This written request was delivered via FAX HAND (circle one) to:

ME On: Thursday / 6-23-16 / 8:50 AM  
Name/Title Day/Date/Time

by Det. Luke O'Say  
Name/Title

ME Case No. 16.3222

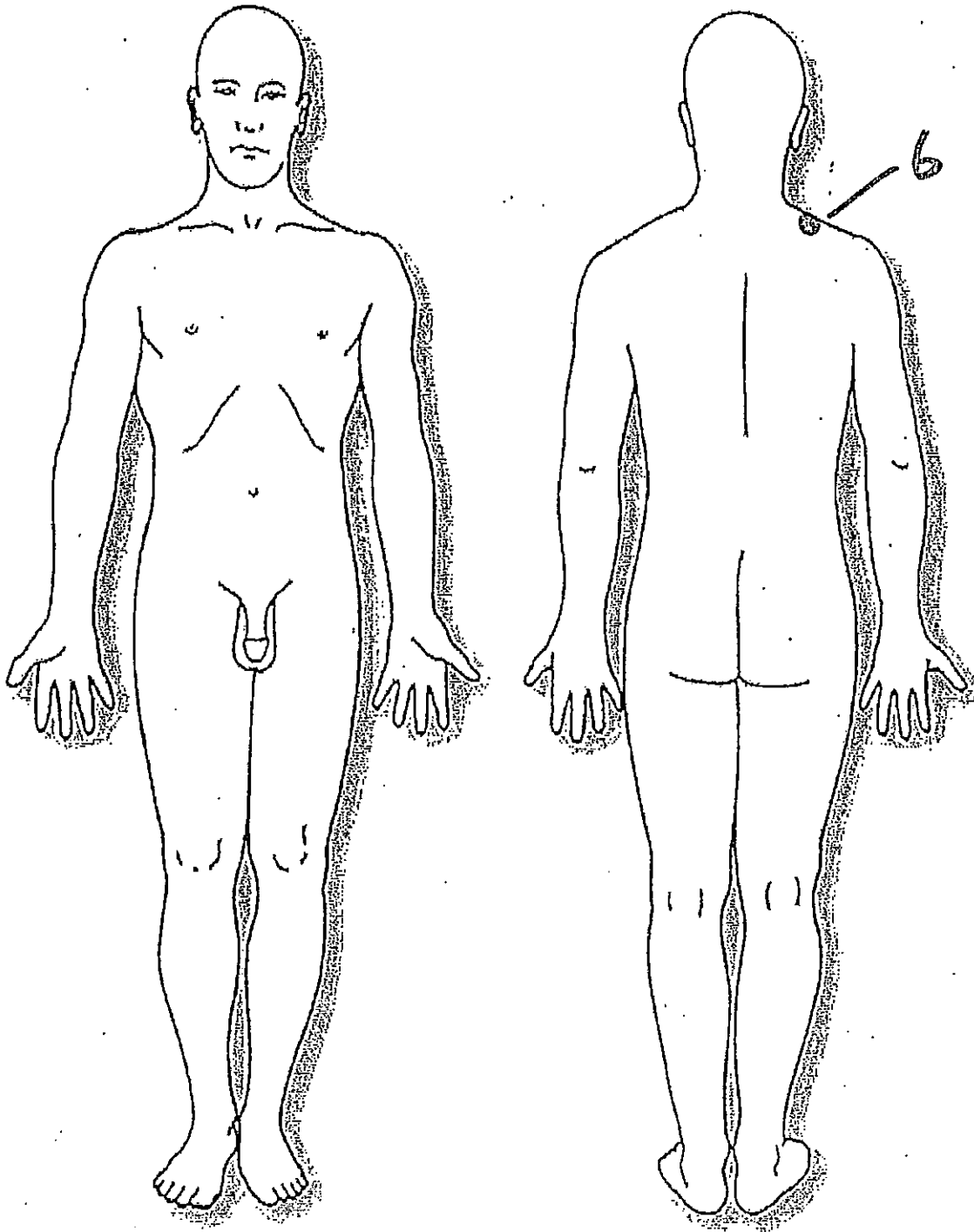
OIS-178-2016





OIS-M 8-2016

Ht  
Wt  
Uter  
Rigor  
Hair  
Eyes



PSSI Michael R. Braunreiter

#004609

OIS-148-2016

Milwaukee County Medical Examiner	Case Number	16-03222
933 W. Highland Avenue	Investigator	Jason Rudelich, D-ABMDI
Milwaukee, WI 53233	Date of Death	6/23/16
(414) 223-1200	Date Today	06/23/16

## EVIDENCE RELEASE RECEIPT

Decedent: Jay L. Anderson

Type	Description
Left Hand Fingernail	--
Clippings	--
Left Hand Paper Bag	--
Right Hand Fingernail	--
Clippings	--
Right Hand Paper Bag	--
Pubic Hair Pluckings	--
DNA Card	--
Bullet/Bullet Fragments	--
Bullet/Bullet Fragments	--
Bullet/Bullet Fragments	--

#004609

PSSI Michael Braunreiter

SIGNATURE OF RECIPIENT PSSI Michael Braunreiter


6/23/2016 10:47 AM

DATE

TIME

MPD CIB - Homicide Division

RELATIONSHIP / TITLE OF RECIPIENT



RELEASED BY: Jason Rudelich, D-ABMDI

6/23/2016 10:47 AM

DATE

TIME



Milwaukee County Medical Examiner  
933 W. Highland Avenue  
Milwaukee, WI 53233

**AUTOPSY PROTOCOL**

NAME: ANDERSON, JAY L., JR.      SEX: MALE      AGE: 25 YEARS  
DOB: 07/04/1990  
DATE OF DEATH:      JUNE 23, 2016      TIME: 0405 HOURS  
DATE OF AUTOPSY:      JUNE 23, 2016      TIME: 0820 HOURS  
PLACE OF AUTOPSY:      Milwaukee County Medical Examiner's Office  
PERFORMED BY:      Wieslawa Tlomak, MD  
Deputy Chief Medical Examiner  
WITNESSED BY:      Amanda Meeker  
Forensic Pathology Assistant  
Detective Joe Lewandowski  
City of Wauwatosa Police Department  
Michael Braunreiter, PSSI  
Milwaukee Police Department  
Forensic Investigator Doug Brahm  
Milwaukee Police Department  
CAUSE OF DEATH:      Gunshot Wounds of the Head  
MANNER OF DEATH:      Homicide

Signed W. Tlomak, MD      7/19/2016  
Wieslawa Tlomak, MD      Date Signed  
Deputy Chief Medical Examiner

NOTES BY: WE TYPE/SG, MEDICAL TRANSCRIBER

Milwaukee County Medical Examiner  
933 West Highland Avenue  
Milwaukee, WI 53233

AUTOPSY PROTOCOL

**Final Diagnoses:**

- I. Gunshot wound of the head, indeterminate range of fire with exit
  - A. Entrance gunshot wound on the right ear
  - B. Perforation of the right ear, petrous part of the right temporal bone, clivus, petrous part of the left temporal bone, and left mastoid process
  - C. No projectile recovered
  - D. Exit gunshot wound on the left temporal scalp, behind the left ear
  - E. Trajectory: from the decedent's right-to-left with no significant front/back or upward/downward deviation
- II. Gunshot wound of the head, indeterminate range of fire with exit
  - A. Entrance gunshot wound on the right temporal/parietal scalp
  - B. Perforation of the right parietal bone, dura, brain, dura, and left parietal bone
  - C. No projectile recovered
  - D. Exit gunshot wound on the left temporal/parietal scalp
  - E. Trajectory: from the decedent's right-to-left with no significant front/back or upward/downward deviation
- III. Gunshot wound of the head, indeterminate range of fire without exit
  - A. Entrance gunshot wound on the right cheek
  - B. Perforation of the right cheek and penetration of soft tissue of the right side of the neck
  - C. A 162 grain projectile recovered
  - D. No exit gunshot wound
  - E. Trajectory: from the decedent's front-to-back, right-to-left and downward
- IV. Gunshot wound of the back, indeterminate range of fire without exit
  - A. Entrance gunshot wound on the right shoulder
  - B. Perforation of subcutaneous tissue of the right shoulder and penetration of muscles of the back
  - C. A 182 grain projectile recovered
  - D. No exit gunshot wound

MKE16-03222 ANDERSON, JAY L., JR.

- E. Trajectory: from the decedent's right-to-left, slightly front-to-back, and slightly downward
- V. 5 grain in aggregate projectile fragments recovered from hair

The body is received within a body bag.

**WITNESSES:**

Personnel present during portions of the autopsy include Wieslawa Tlomak, MD, Deputy Chief Medical Examiner; Amanda Meeker, Forensic Pathology Assistant, Detective Joe Lewandowski, Wauwatosa Police Department, Michael Braunreiter, PSSI, Milwaukee Police Department; and Forensic Investigator Doug Brahm, Milwaukee Police Department.

**RADIOGRAPHS:**

Radiographs of the head, neck, and upper chest reveal radiopaque shadows consistent with projectiles and projectile fragments recovered at autopsy.

**CLOTHING:**

The body is received undressed.

**GENERAL EXTERNAL EXAMINATION:**

The body is that of a well-developed, well-nourished (body mass index of 22.5), adult, black male that weighs 166 pounds, is 72 inches in length, and appears compatible with the reported age of 25 years.

The body is cold. At the time of autopsy, rigor mortis is partially fixed. Blanchable, purple livor mortis extends over the posterior surfaces of the body, except in areas exposed to pressure.

**HEAD:** The head is normocephalic. The scalp hair is black, curly, and measures up to 15 inches in length over the crown. **EYES:** The irides are brown. The pupils are round. The corneae are translucent. The sclerae are white and the conjunctivae are unremarkable. No petechial hemorrhages are identified on the sclerae or conjunctivae. **NOSE:** The nose is normally formed and the septum is in the midline. **MOUTH:** The teeth are natural and in good condition. No petechial hemorrhages are on the oral mucosa. **EARS:** The ears are normally formed. **FACE:** The decedent wears black, short mustache and beard. No petechial hemorrhages are on the facial skin.

**NECK:**

The neck organs are in the normal midline position and appear unremarkable.

**CHEST:**

The thorax is well developed and symmetrical.

**ABDOMEN:**

The abdomen is flat.

**GENITALIA:**

The external genitalia are those of a normal adult male.

**ANUS:**

The anus is free of lesions.

**EXTREMITIES:**

**UPPER EXTREMITIES:** The upper extremities are well developed and symmetrical without absence of digits. The right hand has long, intact fingernails. The left hand has short, intact fingernails. **LOWER EXTREMITIES:** The lower extremities are well developed and symmetrical without absence of digits.

**BACK:**

The spine is normally formed.

**IDENTIFYING MARKS, SCARS, AND TATTOOS:**

Identifying marks, scars, and tattoos include: two, 1/2 inch, each scars on the left lateral upper eyelid; a 2 inch oblique scar on the left side of the upper abdomen; a 7 x 6 inch tattoo on the right lateral proximal upper arm; a 1/4 x 1/4 inch white scar on the dorsal surface of the third finger of the right hand; a 3 x 3-1/2 inch tattoo on the left lateral proximal upper arm; and a 3/4 x 3/16 inch scar on the right anterior distal lower extremity.

**EVIDENCE OF MEDICAL INTERVENTION:**

Evidence of medical intervention includes: a properly placed endotracheal tube, two intravenous accesses, one in the right antecubital fossa and the other on the left dorsal wrist, a needle puncture mark in the left antecubital fossa, one electrocardiograph patch, and a white hospital identification band around the left ankle.

**EVIDENCE OF INJURY:**

**DESCRIPTION OF GUNSHOT WOUNDS:**

**GUNSHOT WOUND OF THE HEAD:**

**ENTRANCE:** On the right ear, close to the external ear canal, with its midpoint 5 inches below the top of the head, 4 inches right of the anterior midline is a 5/16 inch in diameter, round defect with a pink-red, circumferential marginal abrasion consistent with an entrance gunshot wound. The marginal abrasion is widest (3/16 inch) at the 10:00 position, tapering at the 1:00 and 7:00 positions. Soot is not visible on the skin edges or within the hemorrhagic wound track. No stippling or unburned or burned gunpowder particles are on the skin surrounding the entrance gunshot wound.

**PATH:** The hemorrhagic wound track sequentially perforates the right ear (On the skin behind the right ear is a 1/4 inch in diameter round defect with a 3/16 inch in width, red marginal abrasion extending from the 6:00 position to 11:00 position. There is a 1/4 inch radiating laceration at the 4:00 position.), petrous part of the right temporal bone, clivus, petrous part of the left temporal bone, and left mastoid process.

**ASSOCIATED INJURIES:** There are extensive fractures of the base of the skull. Blood is present in the lower airways.

**PROJECTILE:** No projectile is recovered.

**EXIT:** On the left temporal scalp, behind the left ear, 5 inches below the top of the head, 3-1/2 inches left of the anterior midline is a 1/2 inch, gaping laceration without marginal abrasion consistent with an exit gunshot wound.

**TRAJECTORY:** The trajectory is from the decedent's right-to-left with no significant front/back or upward/downward deviation.

**GUNSHOT WOUND OF THE HEAD:**

**ENTRANCE:** On the right temporal-parietal scalp, above and behind the right ear, with its midpoint 2-1/2 inches below the top of the head, 4-1/2 inches right of the anterior midline is a 5/16 inch in diameter, round defect with a 1/16 inch in width, pink, circumferential marginal abrasion consistent with an entrance gunshot wound. Soot is not visible on the skin edges or within the hemorrhagic wound track. No stippling or



unburned or burned gunpowder particles are on the skin surrounding the entrance gunshot wound.

**PATH:** The hemorrhagic wound track sequentially perforates the right parietal bone (There is a 5/16 inch in diameter defect with an internal beveling.), dura, brain (right and left parietal lobes) dura, and left parietal bone (There is a 5/16 inch in diameter defect with an external beveling.).

**ASSOCIATED INJURIES:** Reflection of the scalp reveals subcutaneous and subgaleal hemorrhages overlying calvarium in a patchy distribution. There are hemorrhages in both temporalis muscles. There are extensive fractures of the skull including calvarium and base of the skull. The dura is lacerated. Acute subdural hemorrhage overlies convexities of the cerebral hemispheres. Acute subarachnoid hemorrhage overlies cerebral hemispheres and cerebellum in a patchy distribution. The parietal and occipital lobes of the brain are partially pulpified.

Blood is present in the lower airways.

**PROJECTILE:** No projectile is recovered.

**EXIT:** On the left temporal-parietal scalp, 2-1/2 inches below the top of the head, 4 inches left of the anterior midline is a 3/4 x 1/4 inch, gaping laceration without marginal abrasion consistent with an exit gunshot wound.

**TRAJECTORY:** The trajectory is from the decedent's right-to-left with no significant front/back or upward/downward deviation.

#### **GUNSHOT WOUND OF THE HEAD:**

**ENTRANCE:** On the right cheek, in front of the right ear, with its midpoint 5 inches below the top of the head, 3 inches right of the anterior midline is a 5/16 inch in diameter, round defect with a dark red, circumferential marginal abrasion consistent with an entrance gunshot wound. There are radiating lacerations located at the 7:00 position (1/4 inch) and at the 8:00 position (1/4 inch). Soot is not visible on the skin edges or within the hemorrhagic wound track. No stippling or unburned or burned gunpowder particles are on the skin surrounding the entrance gunshot wound.

**PATH:** The hemorrhagic wound track perforates right cheek and penetrates soft tissue of the right side of the neck.

**PROJECTILE:** A 162 grain, markedly deformed, jacketed projectile is recovered from the subcutaneous tissue of the right side of the posterior neck, 9 inches below the top of the head, 1 inch right of the posterior midline.

**EXIT:** There is no exit gunshot wound.

**TRAJECTORY:** The trajectory is from the decedent's front-to-back, right-to-left, and downward.

**GUNSHOT WOUND OF THE BACK:**

**ENTRANCE:** On the right shoulder with its midpoint 8-1/2 inches below the top of the head, 5-1/2 inches right of the posterior midline is a 3/8 x 3/8 inch defect with a pink, circumferential marginal abrasion consistent with an entrance gunshot wound. The marginal abrasion is widest (1/2 inch) at the 2:00 position, tapering at the 12:00 and 6:00 positions. Soot is not visible on the skin edges or within the hemorrhagic wound track. No stippling or unburned or burned gunpowder particles are on the skin surrounding the entrance gunshot wound.

**PATH:** The hemorrhagic wound track perforates subcutaneous tissue of the right shoulder and penetrates muscles of the upper back.

**PROJECTILE:** A 182 grain, jacketed projectile is recovered from the muscles of the left side of the upper back, 9-1/4 inches below the top of the head, 3-1/4 inches left of the posterior midline.

**EXIT:** There is no exit gunshot wound.

**TRAJECTORY:** The trajectory is from the decedent's right-to-left, slightly front-to-back and slightly downward.

**RECOVERY:** 5 grain in aggregate, projectile fragments are recovered from hair.

**HANDS:** No soot or high velocity blood is seen on hands by visual examination.

**GENERAL INTERNAL EXAMINATION:**

The body is opened with a routine thoracoabdominal incision. The skeletal muscle has a dark red-brown color and a normal smooth texture.

**BODY CAVITIES:**

No adhesions or abnormal collections of fluid are in the pleural spaces or peritoneal cavity. All body organs are in normal and anatomic position. The serous surfaces are smooth and glistening.

**HEAD:**

The skull is of normal thickness. **BRAIN:** The brain weighs 1400 grams. The dura mater and falx cerebri are not adherent to the brain. The leptomeninges are thin and transparent. The cerebral hemispheres have a normal gyral pattern. The structures at the base of the brain, including cranial nerves and blood vessels, are free of abnormality. With the exception of injuries described in "Evidence of Injury", sections through the cerebral hemispheres reveal no lesions within the cortex, subcortical white matter or deep parenchyma of either hemisphere. The cerebral ventricles are of normal size and configuration. Sections through the brainstem and cerebellum reveal no lesions.

**NECK:**

Examination of the soft tissues of the neck, including strap muscles and large vessels, reveals no abnormalities. The hyoid bone and thyroid cartilage are intact. The laryngeal mucosa is unremarkable. The tongue is normal.

**CARDIOVASCULAR SYSTEM:**

**HEART:** The heart weighs 350 grams. The pericardial sac is free of significant fluid or adhesions. The pericardial surfaces are smooth and glistening. The coronary arteries arise normally and follow the distribution of a right dominant pattern with no significant atherosclerosis. The coronary ostia are patent. The chambers are not dilated. The chambers and valves are proportionate. The valves are normally formed, thin and pliable and free of vegetations and degenerative changes. The following circumferential valve measurements are obtained: tricuspid valve, 13.5 cm; pulmonic valve, 6.5 cm; mitral valve, 11.5 cm; and aortic valve, 7.0 cm. The myocardium is dark red-brown, firm, and free of fibrosis, erythema, pallor, and softening. The atrial and ventricular septa are intact and the septum and free walls are free of muscular bulges. The left ventricle

measures 1.5 cm and the right ventricle measures 0.5 cm in thickness as measured 1.0 cm below the respective atrioventricular valve annulus. The interventricular septum measures 1.5 cm in thickness. **BLOOD VESSELS:** The aorta and its major branches arise normally and follow the usual course, with no significant atherosclerosis. The orifices of the major aortic vascular branches are patent. The vena cava and its major tributaries are patent and return to the heart in the usual distribution and are unremarkable.

**RESPIRATORY SYSTEM:**

The right and left lungs weigh 300 grams, each. The upper airways are unobstructed. Blood is present in the lower airways. The mucosal surfaces are smooth and yellow-tan. The pleural surfaces are smooth, glistening and unremarkable. The pulmonary parenchyma is light pink and the cut surfaces exude mild amounts of blood and frothy fluid. The pulmonary arteries are normally developed and unremarkable. There is no saddle embolus on *in situ* examination of the pulmonary trunk.

**LIVER AND BILIARY SYSTEM:**

**LIVER:** The liver weighs 1500 grams. The hepatic capsule is smooth, glistening, and intact, covering a red-brown parenchyma. **GALLBLADDER:** A thin-walled gallbladder contains yellow, watery bile without stones.

**GASTROINTESTINAL TRACT:**

**ESOPHAGUS:** The esophagus is lined by a gray-white smooth mucosa. **STOMACH:** The gastroesophageal junction is unremarkable. The gastric mucosa is flattened and the lumen contains 100 mL of fluid with partially digested food fragments. **SMALL AND LARGE INTESTINE:** The small intestine has uniform dimension and appears unremarkable. The vermiform appendix is present. The colon has uniform dimension and appears unremarkable. There are no diverticula or externally obvious masses.

**PANCREAS:**

The pancreas has a normal size, shape, position, and tan lobulated appearance.

**GENITOURINARY TRACT:**

**KIDNEYS:** The right and left kidneys weigh 140 grams, each. The renal capsules are smooth, thin, semitransparent, and strip with ease from the underlying smooth, red-brown, firm, cortical surfaces. The cortices are of normal thickness and delineated from

the medullary pyramids. The calyces, pelves, and ureters are non-dilated and free of stones. **URINARY BLADDER:** The urinary bladder contains a large amount of yellow, clear urine. The bladder mucosa is gray-tan and smooth. **MALE INTERNAL GENITALIA:** The prostate has a tan cut surface and is unremarkable.

**RETICULOENDOTHELIAL SYSTEM:**

**SPLEEN:** The spleen weighs 240 grams and has a smooth, intact capsule covering red-purple, moderately firm parenchyma. The splenic white pulp is grossly prominent.

**LYMPH NODES:** The regional lymph nodes are unremarkable.

**ENDOCRINE SYSTEM:**

**PITUITARY GLAND:** The pituitary gland is unremarkable.

**THYROID GLAND:** The thyroid gland is of normal position, size and texture.

**ADRENAL GLANDS:** The adrenal glands have normal cut surfaces with yellow cortices and brown medullae with the expected corticomedullary ratio.

**MUSCULOSKELETAL SYSTEM:**

The cervical spinal column is stable on internal palpation.

The bony framework, supporting musculature, and soft tissues are not unusual.

**ADDITIONAL DISSECTION:**

Longitudinal dissection of back and extremities reveals hemorrhagic gunshot wound track in the upper back and no evidence of other injuries.

**SPECIMENS:**

At the time of autopsy, vitreous fluid, iliac and right heart blood, liver, gastric contents, and urine are retained.

**EVIDENCE:**

Evidence collected at autopsy includes: hand bags, fingernail clippings, pubic hair, DNA blood card, two projectiles and projectile fragments recovered at autopsy.



Case Number: 16-03222

TOXICOLOGY LABORATORY

Pathologist: Wieslawa Tlomak,  
M.D.

Name: Anderson, Jay Loren

Report Date: 7/19/2016

**TOXICOLOGY REPORT**

**SPECIMENS COLLECTED**

The following Specimens were received by the Toxicology laboratory:

Item	Description
Liver 80182	Liver 80182 was reportedly recovered from Autopsy and was received by the lab on Jun 23, 2016.
Gastric 80181	Gastric 80181 was reportedly recovered from Autopsy and was received by the lab on Jun 23, 2016.
Urine 80180	Urine 80180 was reportedly recovered from Autopsy and was received by the lab on Jun 23, 2016.
Cardiac Blood 80179	Cardiac Blood 80179 was reportedly recovered from Autopsy and was received by the lab on Jun 23, 2016.
Cardiac Blood 80178	Cardiac Blood 80178 was reportedly recovered from Autopsy and was received by the lab on Jun 23, 2016.
Iliac Blood 80177	Iliac Blood 80177 was reportedly recovered from Autopsy and was received by the lab on Jun 23, 2016.
Vitreous 80176	Vitreous 80176 was reportedly recovered from Autopsy and was received by the lab on Jun 23, 2016.

**SCREENING RESULTS**

Specimen	Compound	Result	Analyst	Instrument
Cardiac Blood 80178	Cannabinoids	Indicated	Juan Lezama	ELISA

**QUANTITATIVE RESULTS**

Specimen	Compound	Result	Units	Analyst	Instrument
Cardiac Blood 80179	Ethanol	0.114	g/dL	Juan Lezama	HSGC
Vitreous 80176	Ethanol	0.157	g/dL	Juan Lezama	HSGC
Cardiac Blood 80179	Caffeine	Confirmed Present		Gregory Johnson	GCMS
Cardiac Blood 80179	Cotinine	Confirmed Present		Gregory Johnson	GCMS
Cardiac Blood 80179	Etomidate	Indicated		Gregory Johnson	GCMS

**Comments**

Presumptive positive result by enzyme linked immunosorbent assay (ELISA). Further tests are required to confirm these results.

**ANALYTICAL PROTOCOL**

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County  
of  
Milwaukee



Office of the Chief  
Medical Examiner

Case Number: 16-03222

TOXICOLOGY LABORATORY

Pathologist: Wieslawa Tlomak,  
M.D.

Name: Anderson, Jay Loren

Report Date: 7/19/2016

**TOXICOLOGY REPORT**

Immunoassay screening analyzes for the following drugs or drug classes:

Amphetamine/Methamphetamine type compounds, Benzodiazepines, Buprenorphine, Cocaine and related compounds, Cannabinoids, Fentanyl, Methadone, Opiates and Oxycodone.

A handwritten signature in cursive script, appearing to read "Sara J Schrelber".

7/19/2016

Name Of Approver: Sara J Schrelber

Date Approved

Forensic Technical Director

128

## Detailed History for Police Call #161750406 As of 7/12/2016 15:52:56

Output for:

Priority:1 Type:1356 - SHOOTING

Location:8026 W MEDFORD AV,MKE

LocCross:btwn W CUSTER AV and W SHERIDAN AV

Created:	06/23/2016 03:59:25	PD02	016182
Entered:	06/23/2016 03:59:25	PD02	016182
Dispatch:	06/23/2016 03:59:25	PD02	016182
Enroute:	06/23/2016 03:59:25	PD02	016182
Onscene:	06/23/2016 04:12:26	PD02	016182
Closed:	06/23/2016 11:10:04	PD05	014980

IC: PrimeUnit:9536 Dispo:C18 Type:1356 - SHOOTING

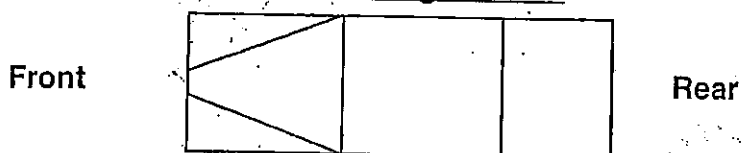
Agency:MWPD DAREA:D4 Squad Area:430 RptDist:833

Case #:IR161750037 ☐ Detail

03:59:25 CREATE Location:MADISON PARK Type:SA TypeDesc:SPECIAL ASSIGN Priority:2 Agency:MWPD  
 03:59:25 ENTRY DAREA:None-->CITY  
 03:59:25 DISPER 9536 Location:MADISON PARK  
 03:59:25 -PRIU 9536  
 03:59:25 -NPREMS Comment:(none)  
 04:07:50 CHGLOC 9536 Location:FROEDTERT MEMORIAL LUTHERAN HOSPITAL,MKE Comment:MEET UP WITH SUSPECT OR VICTIM  
 04:12:26 BACKOS 9537 UnitID:9536 Location:FROEDTERT MEMORIAL LUTHERAN HOSPITAL,MKE  
 04:12:26 BACKOS 9559 UnitID:9536 Location:FROEDTERT MEMORIAL LUTHERAN HOSPITAL,MKE  
 04:12:43 CLOS 9537 9559 Location:N 84TH ST / W HAMPTON AV,MKE  
 04:17:39 BACKOS 9540 UnitID:9537 Location:N 84TH ST / W HAMPTON AV,MKE  
 04:17:39 BACKOS 9539 UnitID:9537 Location:N 84TH ST / W HAMPTON AV,MKE  
 04:18:49 ONSCN 9536  
 04:48:42 MISC 9536 Comment:REQ ID TECH  
 04:49:20 BACKER 1921 UnitID:9536 Location:FROEDTERT MEMORIAL LUTHERAN HOSPITAL,MKE  
 Operator:015497 OperNames:PETERSON, JAMES C  
 04:51:04 CONTCT 9536 9537 9559 9539 9540 1921 ContactTime:120  
 05:18:11 BACKER 1922 UnitID:9537 Location:9800 W GLENDALE Operator:016643 OperNames:WINKER, MICHAEL J Comment:SAFE ENTRY FROM THE WEST  
 05:19:23 XPRMPT 1922 Operator:016643 OperNames:WINKER, MICHAEL J  
 05:19:23 XDISP 1930 Operator:009064 OperNames:VEDBRAATEN, LEE F  
 05:19:38 CHGLOC 1930 Location:9800 W GLENDALE  
 05:45:16 ONSCN 1930  
 05:53:48 CASE 9540 Incident#:IR161750037 Comment:016252  
 05:55:17 CHANGE Type:SA-->1356 Response:None-->IPO Priority:2-->1 TypeDesc:SPECIAL ASSIGN-->SHOOTING Comment:\*\*\*WAWAUTOSA OFFICER INVOLVED SHOOTING\*\*\*  
 06:09:06 CLOS 9537 9559 9539 9540 Location:9800 W GLENDALE, WAWAUTOSA  
 06:16:30 CHGLOC 9537 Location:4520 N 110TH ST, WAWAUTOSA  
 06:19:20 BACKOS 9500 UnitID:9559 Location:9800 W GLENDALE, WAWAUTOSA Operator:005519  
 OperNames:RAAP, AARON M  
 06:20:13 ONSCN 1921  
 06:46:29 ONSCN 9537  
 06:46:31 CLEAR 9500  
 06:49:09 CHGLOC 9537 Location:8026 W MEDFORD AV,MKE  
 06:49:37 MISC 9537 Comment:SS

06:49:40 BACKER 4390 UnitID:9537 Location:8026 W MEDFORD AV,MKE Operator:016897  
OperNames:WOODS, NATHAN L  
07:00:44 CLOS 9536 Location:PAB,MKE Comment:WITH PROPERTY  
07:04:32 \*ONSCN 4390  
07:17:45 CONTCT 9536 9537 9559 9539 9540 1921 1930 4390 ContactTime:120  
07:22:00 CLEAR 1921  
07:33:31 MISC 9559 Comment:D4 CAR TO MEET AT THE SCENE FOR A TOW  
07:36:26 CHANGE 4390 Location:MADISON PARK-->8026 W MEDFORD AV,MKE DAREA:CITY-->D4  
RptDist:None-->833 SquadArea:None-->430  
07:37:20 -NPREMS Comment:(none)  
07:55:20 \*CHGLOC 4390 Location:D4  
07:59:27 \*ONSCN 4390  
07:59:32 \*CLEAR 4390 Dispo:C18 DispoLevel:0  
08:01:54 CLEAR 9539 Dispo:C8 DispoLevel:0  
08:08:38 BACKER 4123 UnitID:9540 Location:9800 W GLENDALE, WAWAUTOSA Operator:007378  
OperNames:MOORE JR, ROBERT  
08:28:50 MISC 4123 Comment:ENROUTE  
08:32:58 ONSCN 4123  
08:34:29 ONSCN 9537  
08:37:43 CLEAR 1930  
08:52:48 \*RFT 4123 Comment:INQUIRY QVEH,,749USD,PC,16,,  
09:12:38 CLOS 9559 Location:CIB,MKE Comment:6TH FL SEND FI CAR  
09:13:17 BACKER 1720 UnitID:9559 Location:CIB,MKE Operator:010029 OperNames:ORTIZ, SYLVIA M  
09:13:21 COMBIN Service:P Call:#161750862 Type:PH Agency:MWPD  
09:28:32 CLEAR 9540 Dispo:C8 DispoLevel:0  
09:29:48 CLEAR 9559 Dispo:C8 DispoLevel:0  
09:30:00 CLEAR 9536 Dispo:C8 DispoLevel:0  
09:30:18 CONTCT 1720 ContactTime:15 Comment:ENROUTE  
09:30:46 CLEAR 9537 Dispo:C8 DispoLevel:0  
09:31:08 CLEAR 1720  
09:34:35 CONTCT 4123 ContactTime:30 Comment:STILL  
09:51:47 CHGLOC 4123 Location:TOW LOT,MKE Comment:Z BUIDLING FOLLOW TOW  
10:33:56 ONSCN 4123  
11:10:04 CLEAR 4123 Dispo:C18 DispoLevel:0  
11:10:04 -CLEAR  
11:10:04 CLOSE

TOW # 1104003 SQUAD: 4123 EMPLOYEE I.D. # (6 digit) 007578  
 DATE: 06-23-11 TIME: 9:18  
 MAKE: Nissan MODEL: Altima STYLE: 90R YEAR: 06 COLOR: Black  
 LICENSE #: 749-HSD STATE: MI EXP: 2/17 VIN#: 1N4YA1E11A1612111319111  
 TOW ADDRESS: 9801 W. Glenview  
 IMPOUNDMENT LOCATION: \_\_\_\_\_ NAME OF TOWING SERVICE: \_\_\_\_\_  
 CHECK REASON FOR TOW  
☐ Illegally Parked ☒ Evidence Auth. By: 008192 L. J. J. J.  
☐ Stolen ☐ Safekeeping ☐ Abandoned ☐ Unregistered  
☐ Other: \_\_\_\_\_ ☐ Prisoner's Property  
 CITATION NUMBER: \_\_\_\_\_ VIOLATION CODE: \_\_\_\_\_

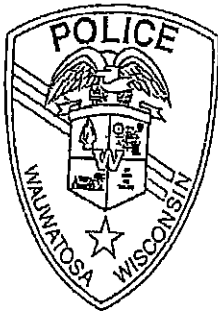


MPD CASE/IR #: \_\_\_\_\_ COMMENTS: \_\_\_\_\_

Officers on Scene of Madison Park Officer Involved  
Shooting

IR# 16-18370 06/23/2016

Captain Tim Sharpee Commander  
Lt. Gary Gabrish Supervisor/Incident Commander  
Lt. Jim Mastrocola Investigative Commander  
Sgt Jack Morrison Incident Command Asstist  
PO Gary Raymond Perimeter  
PO Jamie Cruz Perimeter  
PO Ralph Salyers Cleared Car/First aid  
PO Andy Floryance Perimeter/Hospital  
PO Steve Mills Cleared Car/First aid  
PO Bryan Wade Stayed with Mensah  
PO Joe Wong Perimeter/Canvass parking lot  
PO Tyler L'Allier Hospital  
PO Joe Mensah Involved Officer  
Det Mike Deisinger Firefighter/Witness Interviews  
Det Paula Roberson Canvass  
Det Jeff Griffin Firefighter/Witness Interviews  
Det Joe Roy Canvass  
Det Joe Lewandowski Hospital/Autopsy



# Wauwatosa Police Department

## Incident Report

Incident:

Homicide

Incident Report Number:

16-018370

Between: Date - Time

And/At: Date-Time

6/23/16

03:03

Incident Location:

9800 W Glendale Av, Wauwatosa, WI, 53225

CFS Code-1:

0999

CFS Code-2:

9093

CFS Code-3:

Offense Code-4:

CFS Code-5:

CFS Code-6:

CFS Code-7:

CFS Code-8:

COM

Name (Last, First, Middle)

Mensah, PO Joseph

DOB:

Race/Sex

Address: (Address, City, State, Zip)

1700 N 116 St, Wauwatosa, WI, 53226

Home Phone Number

Employer

Wauwatosa Police Department

Work Phone Number

(414) 471-8430

Employer Address

1700 N 116 St, Wauwatosa, WI 53226

Cell Phone Number

Name (Last, First, Middle)

DOB:

Race/Sex

Address: (Address, City, State, Zip)

Home Phone Number

Employer

Work Phone Number

Employer Address

Cell Phone Number

### NARRATIVE

On 06-23-2016 at 3:03 AM, a Wauwatosa Police Officer located an occupied automobile at Madison Park, 9800 W Glendale Ave. Upon contact the subject, listed on the back side, attempted to arm himself with a hand gun resulting in deadly force being used to stop the threat presented to the officer.

This investigation was turned over to the Milwaukee Police Department.

Vehicle Information: (Year, Make, Model, Style, Color)

License Number:

State:

Expiration Year:

Vin:

Insurance Company:

Other Vehicle Information:

NCIC#

Reporting Officer(s):

Lewandowski, Joseph

Payroll Number:

6089

Payroll Number:

Report Date:

06/23/2016

Time Received:

03:03:00

Time Cleared:

13:36:29

Unit(s) Assigned:

104, 106, 109, 301, 302, 303, :

Pages:

1 Of 2

Reviewed by:

5462

Payroll Number

5462

Copy To



# Wauwatosa Police Department

Continuation

Incident Report Number  
16-018370

Incident Location:  
9800 W Glendale Av, Wauwatosa, WI, 53225

Incident Date:  
06/23/2016

## NAMES

### Arrested

Anderson, Jay Loren Jr B/M-25 of 8026 W Medford Av, MILWAUKEE, WI, 53218  
DOB: 07/04/1990

HT: 510 WT: 160 Hair: Black

Eyes: Brown

Other Phone: (414) 915-1521

Reporting Officer(s):

Lewandowski, Joseph

Page Number:  
6089

Page:

2 Of 2

# Wauwatosa Police Department

## Supplementary Report

Incident Report Number: 16-018370	Incident Location: 9800 W Glendale Av, Wauwatosa, WI, 53225	Incident Date: 06/23/2016
New Incident:	Original CFS Code - 1: 0999	New CFS Code - 1: New CFS Code - 2:

### NARRATIVE

On 6-23-16, I sqd 135 (Griffin) was assigned by Lt. Mastrocola to interview the two Wauwatosa Fire Department Paramedics who worked on and transported our suspect to the hospital. I went to fire station number 2 and spoke with each subject individually.

### INTERVIEW OF WAUWATOSA PARAMEDIC BRIAN O'DAY

I first spoke with Lieutenant Brian O'Day (w/m 10-13-58) who stated he has been with the fire department for 15 years, a paramedic for 13 years, and a Lieutenant for 6 years. This morning Lt O'Day was the supervisor on Med 52. He rode in the passenger seat and was responsible for reports and decisions on patient care.

Lt O'Day stated as they drove to the scene he did not see any other cars on the street and he did not observe anyone walking or loitering in the area.

Lt O'Day stated when they pulled into the lot he saw the police officers pulling a subject out of the car from the driver's door. The subject was placed face up on the ground with his head near the car and feet away from the car. The officers then checked the subject using their flashlights.

Lt. O'Day did not hear any comments from the officers or the suspect.

Lt. O'Day observed two wounds on the subject. A wound on the subject's right cheek just below the eye and a wound behind the subjects left ear. A large pool of blood formed as the subject lay on the ground.

Lt. O'Day put pads on the subject and the subject had a rhythm and a pulse, but he was not breathing. The subject was placed on a cot and placed in the ambulance where they started ventilation with a bag valve mask and established an IV. As they monitored the subject a rhythm change was noticed and CPR was administered, a tube was also placed down the subject's throat for controlled ventilation. A second IV was established.

An organized rhythm was observed and the subject did have a pulse so he was transported to the hospital. On the way to the hospital the subject's clothes were cut off and bagged. Lt O'Day did not see any other signs of trauma on the subject's body.

Reporting Officer(s): Griffin, Jeffrey S.	Payroll Number: 5311	Payroll Number:	Report Date: 06/23/2016
Reviewed by: 5462	Payroll Number: 5462	Copy To:	Page: 1 Of 3

**Wauwatosa Police Department****Continuation**

Incident Report Number

16-018370

Incident Location:

9800 W Glendale Av, Wauwatosa, WI, 53225

Incident Date:

06/23/2016

At the hospital the subject was wheeled into the trauma team and turned over the hospital staff. Lt O'Day stated he completed his paperwork at the hospital and before he left he was told the subject had passed.

**INTERVIEW OF WAUWATOSA PARAMEDIC DAVID TIPPEL**

I spoke with firefighter/paramedic David P. Toppel (w/m 2-4-75) who stated he has been with the fire department for 16 years and a paramedic for 3 years. This morning Paramedic Toppel was the driver of Med 52.

Paramedic Toppel stated as he drove to the scene he did not see any other cars and he did not observe anyone in the area when he arrived.

When Paramedic Toppel drove into the lot he saw two police officers pulling a subject out of the driver's door of a parked auto. Paramedic Toppel drove east past the officers and parked the rig on the driver's side of the subject's car, with the back of the rig stopping just past the driver's door. The subject was placed on the ground face up with his head near the car and his feet away.

Paramedic Toppel did not hear any comments coming from the officers or the suspect.

Paramedic Toppel checked the subject's left arm for a pulse and did find a good pulse, but the subject was not breathing. Paramedic Toppel saw a wound to the subject's right cheek just below the eye. Paramedic Toppel also observed a large (2ft) pool of blood on the ground below the subject's head.

The subject was placed on a cot and put in the ambulance where Paramedic Toppel started an IV in the subject's left arm and then a second IV in the subject's right arm. Both IV's were to introduce saline into the subject's body. The subject was being monitored in the rig when a rhythm change occurred and CPR was started. Paramedic Toppel stated the subject was pulseless, but his pulse did come back as they worked on him.

At the hospital the subject was wheeled into the trauma center where they were met by a team of doctors. Paramedic Toppel stated he wheeled the cart out of the room and went back to the rig to wait for Lt. O'Day. He learned from Lt O'Day that they subject had died.

Reporting Officer(s):

Griffin, Jeffery S.

ID Number

3311

ID Number

3311

Page

2 Of 3

# Wauwatosa Police Department

Continuation

Incident Report Number

16-018370

Incident Location:

9800 W Glendale Av, Wauwatosa, WI, 53225

Incident Date:

06/23/2016

## NAMES

### Assisting Officer

Griffin, Det Jeffrey W/M of 1700 N 116 St, Wauwatosa, WI, 53226  
Home Phone: (414) 471-8430

### Contact Person-1

O'Day, Brian W/M-57 of 4187 N Mayfair rd, Wauwatosa, WI, 53226  
DOB: 10/13/1958  
Work Phone: 414471846

### Contact Person-2

Tippel, David P W/M-41 of 4187 Nmayfair rd., Wauwatosa, WI, 53226  
DOB: 02/04/1975  
Work Phone: (414) 471-8461

137

Reporting Officer(s):

Griffin, Jeffrey

5311

3 Of 3

# Wauwatosa Police Department

## Supplementary Report

Incident Report Number: 16-018370	Incident Location: 9800 W Glendale Av, Wauwatosa, WI, 53225	Incident Date: 06/23/2016
New Incident:	Original CFS Code - 1: 0999	New CFS Code - 1: New CFS Code - 2:

### NARRATIVE

#### Case Assignment

On 06-23-2016 I, Detective Joe Lewandowski, was assigned, by Detective Lieutenant James Mastrocola, to assist with this investigation. My first assignment was to make contact with Wauwatosa Police Officers Tyler L'Allier and Andy Floryance at Froedtert Hospital. At the time of my assignment, the condition of the suspect was unknown.

#### Froedtert Hospital

Upon my arrival at Froedtert, I entered into the Trauma room and learned that the suspect, later identified as Jay Loren Anderson Jr (M/B 07/04/1990), was deceased. Milwaukee Police Detective Matthew Gadzalinski (squad 9536) was already present and gathering information; for additional information, see Det Gadzalinski's report (MPD Case # 16-175-0037).

#### Wauwatosa Fire Station #2

After leaving Froedtert Hospital, I was assigned to interview Wauwatosa Fire Fighter Christopher L Schultz at Fire Station #2.

Upon arrival, Firefighter Schultz and I talked in the kitchen away from any other employees. Firefighter Schultz is assigned to Fire Engine #52. He recalls being dispatched to an "ALS assignment" (Advanced Life Support). While en route, dispatch advised that this call was an Officer Involved Shooting and they were directed to stage at the corner of N 100 St/Glendale Ave. They were stopped there for less than a minute when dispatch notified responding WFD vehicles that the scene was secure.

Reporting Officer(s): Lewandowski, Joseph	Payroll Number: 6089	Payroll Number:	Report Date: 06/23/2016
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When the engine arrived in the parking lot of Madison Park, Firefighter Schultz observed two officers carrying a subject next to a vehicle, Firefighter Schultz assumed that the suspect was removed from the vehicle. Firefighter Schultz assisted WFD Paramedic Tipple with equipment; he first took over a stretcher and then went back to retrieve the Oxygen tank and Medical bag.

Firefighter Schultz helped WFD members load the patient onto the stretcher and overheard another firefighter announce that the patient had a pulse. Once in the ambulance, Firefighter Schultz placed an oral airway. At one point, Paramedic Tipple removed the oral airway and switched to a King Airway. Firefighter Schultz took over on the bag and continued to operate it until they arrived at the hospital.

At the hospital, Firefighter Schultz passed the bagging responsibility over to WED Captain Scot R. Freidrick. Firefighter Schultz then assisted Paramedic Tipple clean out the back of the ambulance.

I asked Firefighter Schultz if he was able to make any observations about the patient. He told me that the patient was never breathing on his own but did have a pulse. There were, at least, two times that Firefighter Schultz obtained a carotid pulse of 112 beats/minute. He recalls seeing, at least, two gunshot wounds; one in the cheek and one behind his ear. Firefighter Schultz recalls a significant amount of blood and thinks that he smelled alcohol coming from the patient.

Milwaukee County Medical Examiner

Following my interview with Firefighter Schultz, I arrived at the Milwaukee County Medical Examiner's Office for the autopsy of Jay L Anderson. Also present was Milwaukee Police Investigator Michael Braunreiter (Squad 9522). For additional information, see MPD supplemental report by Braunreiter (MPD Case # 16-175-0037).

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Lewandowski, Joseph

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### NAMES

#### Assisting Officer-1

Lewandowski, Det Joseph W/M of 1700 N 116 St, Wauwatosa, WI, 53226  
Work Phone: (414) 471-8430

#### Assisting Officer-2

Braunreiter, Michael W/M of 749 W State St, Milwaukee, WI, 53233  
Work Phone: (414) 935-7360

#### Other

Schultz, Christopher W/M-49 of 4187 N Mayfair Rd, Wauwatosa, WI, 53222  
DOB: 08/23/1966  
Work Phone: (414) 471-8461 Cell Phone: (262) 751-3161

#### Assisting Officer-3

Gadzialinski, Det Matthew W/M of 749 W State St, Milwaukee, WI, 53233  
Work Phone: (414) 935-7360 Cell Phone: (414) 233-8453

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Reporting Officer(s):

Lewandowski, Joseph

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### NARRATIVE

16-18370 Thursday, June 23, 2016

Madison Park  
9800 W Glendale Avenue  
Wauwatosa, WI 53225

### Suspicious Circumstances

This report is written by Detective Paula Roberson.

### Assignment

On Thursday, June 23, 2016 at 0455, I responded to Madison Park, 9800 W. Glendale Avenue, to assist with the investigation. Once on scene, I learned that Milwaukee Police Department would be handling this investigation. I was then assigned to conduct the neighborhood canvas with Detective Joseph Roy.

### Lutheran Manor

Detective Roy and I responded to 4535 N. 92nd Street and met with Jason Wilson, the security officer at the front desk. After advising Wilson of the situation and obtaining a property map, we proceeded to canvas buildings Q, R, F and O. I obtained the following results:

### Q Building

None of the apartments in this building have west facing windows. The sitting area does have one west facing window but appears to have been unoccupied at the time of this incident.

Q305 is the westernmost apartment on the third floor. The resident is listed as Eleanor Ciurro but I was not able to make contact with her.

Q306 is occupied by Gil Steffen. Steffen stated he was sleeping at that time and did not hear anything unusual.

Q307 is occupied by Frank Coogan. Coogan stated he was asleep all night and did not wake up until 0600. He was not even aware of the police presence at

Reporting Officer(s): Roberson, Paula R.	Payroll Number: 5694	Payroll Number:	Report Date: 06/23/2016
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the park.

Q302 is occupied by Dan Anderson. Anderson stated he was asleep all night and did not hear anything unusual.

Q301 is occupied by Inga Harwick. Harwick stated she was awake around 0300 because she went to the bathroom. She stated her apartment windows were open. She stated that she did not hear anything unusual during that time and explained that she did not have her hearing aids in.

Q309 should be occupied by Maury and Gloria Weinhold. No one answered when I knocked at 0634.

Q103 should be occupied by Lois VanDervan. No one answered when I knocked at 0641.

Q102 is occupied by Jean M. Rosier. Rosier stated she was sleeping at that time and did not hear anything unusual.

## F Building

None of the apartments in this building have west facing windows.

F203 is occupied by Delores Nix. Nix stated she was asleep and did not wake up throughout the night.

F105 is occupied by Suzanne Badten. Badten stated she was asleep all night and did not hear anything unusual.

## O Building

This building runs north and south. A few of the apartments have west facing windows but the view of the Madison Park Parking lot is partially obstructed by the trees.

O207 is occupied by Martha Andeen. Andeen stated that she was asleep all night and then explained that her blinds and drapes have been closed since the previous evening. She stated she wears a hearing aid and was not wearing them while asleep. She explained that even if she was awake during the time of the incident, she still would not have heard or seen anything because of the closed drapes and not wearing her hearing aid.

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Reporting Officer(s):

Roberson, Paula R.

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Roberson, R

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**NAMES****Investigator**

Roberson, Det Paula B/F of 1700 N 116 St, Wauwatosa, WI, 53226  
Work Phone: (414) 471-8430

**Other-1**

Anderson, Daniel T W/M-44 of 4535 N 92 St, Q302, Wauwatosa, WI, 53225  
DOB: 12/06/1971  
Home Phone: (414) 588-8443

**Other-2**

Ziegler, Joyce W/F-79 of 4535 N 92 St, Q303, Wauwatosa, WI, 53225  
DOB: 08/30/1936  
Cell Phone: (414) 559-9029

**Other-3**

Steffen, Gil W/M-90 of 4535 N 92 St, Q306, Wauwatosa, WI, 53225  
DOB: 08/13/1925  
Home Phone: (414) 332-2773

**Other-4**

Coogan, Frank W/M-87 of 4535 N 92 St, Q307, Wauwatosa, WI, 53225  
DOB: 06/14/1929  
Home Phone: (414) 339-3600

**Other-5**

Harwick, Inga W/F-91 of 4535 N 92 St, Q301, Wauwatosa, WI, 53225  
DOB: 03/05/1925  
Home Phone: (414) 527-1099

**Other-6**

Rosier, Jean M W/F-90 of 4535 N 92 St, Q102, Wauwatosa, WI, 53225  
DOB: 04/09/1926  
Home Phone: (414) 438-9226

Reporting Officer(s):

Roberson, Paula R.

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### Other-7

Nix, Delores W/F-87 of 4535 N 92 St, F203, Wauwatosa, WI, 53225

DOB: 09/16/1928

Home Phone: (414) 535-9206

### Other-8

Badten, Suzanne W/F-83 of 4535 N 92 St, F105, Wauwatosa, WI, 53225

DOB: 09/18/1932

Home Phone: (414) 461-8281

### Other-9

Andeen, Martha W/F-95 of 4535 N 92 St, O207, Wauwatosa, WI, 53225

DOB: 05/01/1921

Home Phone: (414) 578-2809

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<p><b>NARRATIVE</b></p> <p><b>ASSIGNMENT</b></p> <p>On 06-23-16 I was given the assignment by Detective Sergeant Brian Skornia of performing a canvass related to an officer involved shooting in Madison Park at about 3:00 AM on 06-23-16. I was given the following apartment units at Luther Manor to make contact with:</p> <p>Q100, Q103, Q104, Q206, Q305, Q309</p> <p>R101, R106, R107, R109, R207, R308</p> <p>F204, F207</p> <p>O210</p> <p>I made contact with the following Luther Manor residents:</p> <p>R106: Ruth Hartwig F/W, 04-03-20 who did not know anything about a police incident until I knocked on her door. I asked her for her phone number, but she did not recall it.</p> <p>R109: Jerold J Kassens M/W, 12-15-33, C-414-331-9469 who stated he woke up around 3:00 AM to use the bathroom. He saw a police car without red and blue emergency lights drive past his unit on the perimeter road of Luther Manor (this does not connect to Madison Park). He did not see any emergency lights or hear any sirens. He did not hear any gun fire and did not know about the shooting until morning.</p> <p>Q100: Adeline Amberg F/W, 06-01-18, H-414-462-1416 who stated she was sleeping at 3:00 AM and did not hear or see anything related to the shooting.</p>			
Reporting Officer(s): Romeis, Michael W.	Payroll Number: 5807	Payroll Number:	Report Date: 06/23/2016
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Q103: Lois VanDerven F/W, 05-19-27, H-414-464-5121 who stated she was sleeping at 3:00 AM and did not hear or see anything related to the shooting.

Q104: Vacant unit.

Q206: Wolf Knappe M/W, 03-30-26, H-414-466-0974 who stated he was sleeping at 3:00 AM and did not hear or see anything related to the shooting.

Q305: Eleanor T Ciurro F/W, 01-06-24, H-414-464-0826 who stated she was sleeping at 3:00 AM and did not hear or see anything related to the shooting.

Q309: No answer. Name plate on door was Maury and Gloria Weinhold. I left my business card.

See Detective Keck's supplement for units R101, R107, R207, R308, F204, F207, O210.

Reporting Officer(s):

Romeis, Michael W.

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### NAMES

#### Investigator

Romeis, Det Michael W/M of 1700 N 116 St, Wauwatosa, WI, 53226  
Home Phone: (414) 471-8430

#### Other-1

Kassens, Jerold W/M-82 of 4545 N 92 St, R109, Wauwatosa, WI, 53213  
DOB: 12/15/1933

#### Other-2

Vandervan, Lois M W/F-89 of 4535 N 92 St #Q103, Wauwatosa, WI, 53225  
DOB: 05/19/1927  
Home Phone: (414) 464-5121

#### Other-3

Hartwig, Ruth M W/F-96 of 4545 N 92 St, 106, Wauwatosa, WI, 53225  
DOB: 04/03/1920  
Home Phone: (414) 464-0947

#### Other-4

Knappe, Wolf W/M-90 of 4535 N 92 St, Q206, Wauwatosa, WI, 53225  
DOB: 03/30/1926  
Home Phone: (414) 466-0974

#### Other-5

Ciurro, Eleanor T W/F-92 of 4535 N 92 St, Q305, Wauwatosa, WI, 53225  
DOB: 01/06/1924  
Home Phone: (414) 464-0826

#### Other-6

Amberg, Adeline W/F-98 of 4535 N 92 St, Q 100, Wauwatosa, WI, 53225  
DOB: 06/01/1918  
Home Phone: (414) 462-1416

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Reporting Officer(s):

Romeis, Michael W

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### NARRATIVE

#### Assignment

On 6/23/16 at approximately 6:00 AM , I, Detective Joseph Roy, was given the assignment by Detective Lieutenant James Mastrocola of performing a canvass related to an officer involved shooting in Madison Park at approximately 3:00 AM on 6/23/16. I proceeded to Luther Manor, wher I made contact with the following people:

Upon arrival, Detective Paula Roberson and I made contact with Jason E. Wilson (M/B 3/28/81), a Security Officer with Luther Manor, and advised him that we would be canvassing the buildings. I also asked Wilson to have his supervisor, Thomas Christopher, contact me in regards to any available pertinent surveillance video.

Detective Roberson and I started in the buildings that would have offered the best view of the incident. I made contact with the following residents:

Q305: No Answer at the door.

Q304: Vacant Unit

Q200: Vacant Unit

Q201: Gladys C. Hoppe (F/W 12/9/25) stated that she was asleep at the time of the incident and hadn't seen or heard anything.

Q202: Vacant

Q203: Vacant

Q204: Vacant

Q205: John E. Keller (M/W 4/23/24), stated that he was asleep at the time of the incident and hadn't seen or heard anything.

Q206: No Answer at the door.

Q207: Vacant

Q208: Vacant

Reporting Officer(s): Roy, Joseph E.	Payroll Number: 6063	Payroll Number:	Report Date: 06/24/2016
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Q209: Paul M. Thibaudeau (M/W 1/16/48), 414-393-2042. Mr. Thibaudeau reported that he was awake at the time of the incident and clearly hear what he believed to be a string of 5 gunshots in short succession. Mr. Thibaudeau reported that he then heard sirens approaching from the distance, and believed they were responding to the "area of the park" while he was pointing in the direction of Madison park. Mr. Thibaudeau stated that he didn't see the incident, just heard gunfire.

Q100: No Answer

Q101: Det. Roberson handled.

Q102: Det. Roberson handled.

Q103: Det. Roberson handled.

Q104: No Answer

Q105: Det. Roberson handled.

Q106: Det. Roberson handled.

Q107: Det. Roberson handled.

Q108: Harvin A. Abrahamson (M/W 7/31/24) reported that at about 3:00 AM he heard what he thought was knocking on his door, but he was in bed and did not get up to investigate.

Q109: Marilyn H. Arndt (F/W 7/19/25) stated that she was asleep at the time of the incident and hadn't seen or heard anything.

R300: Gert D. Tews (F/W 12/1/18) stated that she was asleep at the time of the incident and hadn't seen or heard anything.

R301: Vacant

R302: Marcella R. Heimerl (F/W 5/16/28) stated that she was asleep at the time of the incident and hadn't seen or heard anything.

R303: Lorraine Biang- I was informed by the neighbor in R304 that Ms. Biang is 95 years old, deaf and won't answer the door. I was unable to speak with her.

R304: Dave E. Myers (M/W 8/14/41), 414-445-7855, reported that he heard sirens in the area but no shots. He stated that the sirens woke him up and at approximately 3:00AM he got up and looked out his window which faces toward Madison Park. He observed "at least 10 police cars and other vehicles with

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their flashing lights on." Mr. Myers didn't hear see anything else.

R305: Vacant

R306: Vacant

R307: Joyce C. Heinrich (F/W 1/25/30) stated that sometime before 4:30AM she was woken up by sirens but couldn't see anything.

R308: No Answer

R309: Vacant

R200: Vacant

R201: Vacant

R202: Erwin G. Wegner (M/W 6/15/30) heard what he described as "knocking" at some point in the middle of the night but didn't get out of bed to investigate.

R203: Lorraine H. Guenther (F/W 4/29/20) stated that at some point in the middle of the night she heard sirens and "knocking." She couldn't recall which was first and didn't get up to investigate the noises.

R204: Vacant

R205: Vacant

R206: Vacant

R207: No Answer

R208: Vacant

R209: Marge I. Jothan (F/W 3/13/19) had been awake since approximately 3:00 AM but hadn't heard or seen anything.

R100: Vacant

R101: No Answer

R102: Vacant

R103: Vacant

R104: Vacant



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R105: Vacant

R106: No Answer.

R107: No Answer.

R108: Vacant

R109: No Answer

R110: Joan M. Evans (F/W 10/26/37) stated that both she and her husband were asleep at the time of the incident and had not heard or seen anything.

O211: Vacant

O210: No Answer

F200: Vacant

F201: Vacant

F202: Vacant

F203: Det. Roberson handled.

F204: No Answer

F205: Ariel T. Pulliam-Love (F/B 11/4/94) was awake at the time of the incident but didn't hear or see anything.

F206: Vacant

F207: No Answer

F208: Vacant

F209: Vacant

F210: Vacant

F211: Vacant

Follow-Up on Video Surveillance

On 6/23/16 at approximately 2:00 PM I received a phone call from Tom Christopher in regards to the video surveillance. He indicated that the DVR

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system which handles the cameras that face north and south along the western edge of the property was not functioning at the time and as such there was no surveillance video in the area.

Detective Joseph Roy, #6063

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Roy, Joseph F

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### NAMES

#### Investigator

Roy, Det Joseph W/M of 1700 N 116 St, Wauwatosa, WI, 53226  
Home Phone: (414) 471-8430

#### Other-1

Guenther, Lorraine Helen W/F-96 of 4535 N 92 St, R203, Wauwatosa, WI, 53225  
DOB: 04/29/1920  
Home Phone: (414) 461-4496

#### Contact Person-1

Christopher, Thomas Patrick W/M-66 of 4545 N 92 St, BLDG, Wauwatosa, WI, 53225  
DOB: 02/15/1950  
Work Phone: (414) 464-3880

#### Contact Person-2

Wilson, Jason E B/M-35 of 3917 N 76TH ST # 2, MILWAUKEE, WI, 53222  
DOB: 03/20/1981  
Other Phone: (414) 364-4500

#### Other-2

Keller, John E W/M-92 of 4535 N 92 St, Q205, Wauwatosa, WI, 53225  
DOB: 04/23/1924

#### Other-3

Hoppe, Gladys C W/F-90 of 4535 N 92 St, Q201, Wauwatosa, WI, 53225  
DOB: 12/09/1925

#### Other-4

Thibaudeau, Paul M W/M-68 of 4535 N 92 St, Q209, Wauwatosa, WI, 53225  
DOB: 01/16/1948  
Home Phone: 41439320

#### Other-5

Arndt, Marilyn H W/F-90 of 4535 N 92 St, Q109, Wauwatosa, WI, 53225

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### Other-6

Arndt, Harvin A W/M-91 of 4535 N 92 St, Q108, Wauwatosa, WI, 53225

DOB: 07/31/1924

### Other-7

Evans, Joan M W/F-78 of 4535 N 92 St, R110, Wauwatosa, WI, 53225

DOB: 10/26/1937

Cell Phone: (623) 214-7936

### Other-8

Jochen, Marge I W/F-97 of 4535 N 92 St, R209, Wauwatosa, WI, 53225

DOB: 03/13/1919

### Other-9

Myers, David E W/M-74 of 4535 N 92 St, R304, Wauwatosa, WI, 53225

DOB: 08/14/1941

Home Phone: (414) 445-7855

### Other-10

Heimerl, Marcella R W/F-88 of 4535 N 92 St, R302, Wauwatosa, WI, 53225

DOB: 05/16/1928

### Other-11

Tews, Gert D W/F-97 of 4535 N 92 St, R300, Wauwatosa, WI, 53225

DOB: 12/01/1918

### Other-12

Pulliam-Love, Ariel T B/F-21 of 4535 N 92 St, F205, Wauwatosa, WI, 53225

DOB: 11/04/1994

Cell Phone: (414) 326-7568

### Other-13

Wegner, Erwin G W/M-86 of 4535 N 92 St, R202, Wauwatosa, WI, 53225

DOB: 06/15/1930

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Roy, Joseph

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## Other-14

Heinrich, Joyce W/F-86 of 4535 N 92 St, R307, Wauwatosa, WI, 53225

DOB: 01/25/1930

Work Phone: (414) 527-7857

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Reporting Officer(s):

Roy, Joseph E

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### NARRATIVE

#### INTERVIEW OF WAUWATOSA FIRE DEPT. CAPTAIN SCOT FRIDRICK

On 06-23-16, I was assigned to interview Wauwatosa Fire Department Captain Scot Fridrick regarding the officer involved shooting at Madison Park.

I met with Fridrick at Wauwatosa Fire Station 52 located at 4187 N. Mayfair Rd. at approximately 7:10 AM. Fridrick was the station commander at the time of the incident.

Fridrick believed that the call came in at approximately 3:00 AM and they were dispatched to an ALS (advanced life support) call for engine 52 and med 52 (paramedic unit) at Madison Park. Once they had got to the engine and med unit, they acknowledged the call to dispatch and they were advised that the call was an officer involved shooting. Fridrick advised he was assigned to Engine 52 with MPO Patrick Quinlevan and Firefighter Christopher Schultz. Med 52 was staffed by Lt. Brian O'Day and Firefighter/Paramedic David Tipple.

As they were arriving at the scene, they were advised by dispatch that the scene was secure so they continued into the parking lot and parked to the South of the suspect's vehicle. Fridrick said upon their arrival he observed at least two police officers removing the suspect, later identified as Jay L. Anderson M/B 07-04-90, from the driver's seat of a dark colored sedan. Fridrick said the suspect vehicle was facing west and the Officers placed the suspect outside the driver side of the car with his head facing to the North and his feet to the South. Fridrick noted a pool of blood forming under the suspect's head. Fridrick said Johnson was unconscious and was not breathing but did have a pulse.

Fridrick said Johnson was placed on a cot and moved to the rescue squad where Lt. O'Day and Tipple began to treat him. This included rescue breathing for Johnson using a bag valve mask, placing "D-fib" pads on his chest, inserting a #4 King airway and starting one IV in each arm for fluids. While they were treating Johnson, he went pulseless. Fridrick and MPO Quinlevan switched off providing chest compressions until they were able to regain a pulse.

At this point, Fridrick said the decision was made to transport Johnson to Froedtert Hospital. Fridrick drove the rescue squad while Lt. O'Day FF/Paramedic Tipple and FF Schultz remained with Johnson. Also present in the rescue squad was a Wauwatosa Police Officer. Fridrick did not know the Officer's name. MPO Quinlevan remained at the scene with Engine 52. Fridrick

Reporting Officer(s): Deisinger, Michael A.	Payroll Number: 5278	Payroll Number:	Report Date: 06/24/2016
Reviewed by: 5462	Payroll Number: 5462	Copy To:	Page: 1 Of 4



**Wauwatosa Police Department****Continuation**

Incident Report Number

16-018370

Incident Location:

9800 W Glendale Av, Wauwatosa, WI, 53225

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drove in Emergency mode to Froedtert with a Wauwatosa Police Squad following the rescue squad. Fridrick said he took N. 100 St. to Hampton Ave., went West on Hampton to the freeway (Highway 45), took the freeway South and exited on Watertown Plank Rd and then went East to Froedtert.

Fridrick said Johnson condition remained the same when they turned him over to the trauma room staff. While they were at the hospital cleaning up, they learned from hospital staff that Johnson had passed away.

Fridrick added that while at Froedtert, Johnson's shirt, which had been cut off him during treatment, was turned over to a Wauwatosa Police Officer. Fridrick said while he was at the hospital he spoke briefly with an MPD detective about this incident.

Fridrick stated that during his contact with Johnson he never regained consciousness and did not say anything. Fridrick said he spoke with two Wauwatosa Police Officers at the scene. Fridrick did not know either of the Officers that he spoke to. Fridrick said he asked one Officer for the suspect's name. The Officer, who had a beard, gave Fridrick Johnson's driver's license. Fridrick recorded the information and returned the Driver's License to the Officer.

Fridrick asked the second Officer which Officer shot the suspect. The officer gave him a name, which Fridrick could not recall. Fridrick asked if the Officer was OK and was told that he was. Fridrick then asked if Johnson had been shot at close range and he was advised that he had been.

I also asked Fridrick if he had observed any witnesses at the scene and he said that he had not observed anyone.

**STATEMENT OF LAWRENCE POLLOCK**

On 06-23-16 at approximately 8:00 AM Det. Jeffrey Griffin and I responded to 4475 N. 99 St where we met with resident Lawrence R. Pollock W/M 04-04-51 regarding this incident.

Pollock said last evening he went to bed at about 2:20 AM. Pollock said he was sleeping with the windows in his bedroom open. Pollock's bedroom is located in the Northeast corner of his home.

At 3:05 AM, Pollock said he awoke to the sound of gunshots. Pollock was sure of the time because he looked at his clock. Pollock said the shots were in the distance. Pollock said he heard eight to ten shots in a rapid, evenly spaced cadence. At 3:08 AM, Pollock said he heard a police squad go through the intersection of N. 100 St. and W. Ruby Ave headed north, followed

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Deisinger, Michael

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15278

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# Wauwatosa Police Department

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by a number of additional squads. Pollock assumed that something had happened at the Fountains Apartments because of previous problems there.

At about 5:00 AM, Pollock went for a walk and observed the police activity at Madison Park.

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Deisinger, Michael A.

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Incident Location:

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Incident Date:

06/23/2016

### NAMES

#### Assisting Officer

Deisinger, Det Michael W/M of 1700 N 116 St, Wauwatosa, WI, 53226  
Work Phone: (414) 471-8430

#### Contact Person

Fridrick, Scott W/M of 10525 Watertown Plank Rd, Wauwatosa, WI, 53226  
Work Phone: (414) 471-8463 Cell Phone: (414) 617-8064

#### Witness

Pollock, Lawrence R W/M-65 of 4475 N 99 St, Wauwatosa, WI, 53225  
DOB: 04/04/1951  
Home Phone: (414) 466-4309

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Deisinger, Michael A

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# Wauwatosa Police Department

## Supplementary Report

Incident Report Number: 16-018370	Incident Location: 9800 W Glendale Av, Wauwatosa, WI, 53225	Incident Date: 06/23/2016
New Incident:	Original CFS Code - 1: 0999	New CFS Code - 1: New CFS Code - 2:

### NARRATIVE

#### CANVASS OF RESIDENTS AT LUTHER MANOR

On Thursday, 06/23/16 I (Det. Martin Keck, Sq. 234) was directed to assist with a canvass of some residents at Luther Manor, 4545 N. 92nd St. I spoke to residents at the following apartments:

#### APARTMENT R101

I attempted contact but received no answer. I left my business card and requested a call.

#### APARTMENT R207

I attempted contact but received no answer. I left my business card and requested a call.

#### APARTMENT R308

I spoke to the resident, Lorrie M. Stanek (F/W 07/04/25). She advised she was home asleep during the overnight hours of 06/22/16 to 06/23/16. She did not hear or see anything out of the ordinary.

#### APARTMENT F204

I spoke to the resident, Ruth M. Militzer (F/W 07/01/34). She advised she was in bed lying awake. Her bedroom patio door was cracked open. Just after 3am, she heard "Bang, Bang, Bang." She believed the bangs were gunshots and estimated hearing five gunshots. Shortly thereafter, she heard a lot of sirens from emergency vehicles.

#### APARTMENT F207

I spoke to the resident, Vida C. Stanton (F/W 08/03/30). She advised she was awoken by three "noises" outside of her bedroom at approximately 3:15am. She explained the noises sounding like pounding on her balcony railing. She then saw flashing lights from emergency vehicles and saw two or three police cars. She then went back to bed.

#### APARTMENT O210

I attempted contact but received no answer. I left my business card and

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# Wauwatosa Police Department

## Continuation

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requested a call.

### PHONE CALL FOLLOW-UP

On Friday, 06/24/16, I spoke with residents at the following addresses:

#### APARTMENT R101

I spoke to Russell J. Hansen (M/W 04/27/47). Hansen advised he was home, but did not hear or see anything out of the ordinary.

#### APARTMENT O210

I spoke to Gloria R. Larson (F/W 01/13/32). Larson advised she was home, but did not hear or see anything out of the ordinary.

#### REMAINING APARTMENTS

I did not make contact with anyone from APARTMENT R207.

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Reporting Officer(s):

Keck, Martin N.

ID Number

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**Wauwatosa Police Department****Continuation**Incident Report Number  
16-018370Incident Location:  
9800 W Glendale Av, Wauwatosa, WI, 53225Incident Date:  
06/23/2016**NAMES****Contact Person-1**

Militzer, Ruth M W/F-81 of 4535 N 92 St, F204, Wauwatosa, WI, 53225  
DOB: 07/01/1934  
HT: 51 WT: 11 Hair: Gray Or Partially  
Eyes: Green  
Home Phone: (414) 476-1817

**Contact Person-2**

Larson, Gloria R W/F-84 of 4535 N 92 St, O210, Wauwatosa, WI, 53225  
DOB: 01/13/1932  
Home Phone: (414) 466-4252

**Contact Person-3**

Stanton, Vida C W/F-85 of 4535 N 92 St, F207, Wauwatosa, WI, 53225  
DOB: 08/03/1930  
Home Phone: (414) 463-9894

**Contact Person-4**

Stanek, Lorrie M W/M-90 of 4535 N 92 St, R308, Wauwatosa, WI, 53225  
DOB: 07/04/1925  
Home Phone: (414) 438-0434

**Contact Person-5**

Hansen, Russell Joseph W/M-69 of 4535 N 92 St, R101, Wauwatosa, WI, 53225  
DOB: 04/27/1947  
HT: 511 WT: 210 Hair: Gray Or Partially  
Eyes: Blue  
Other Phone: (414) 419-2776

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Reporting Officer(s):

Keck, Martin N.

ID Number

62295

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Wauwatosa Police Department		Supplementary Report	
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New Incident:	Original CFS Code - 1: 0999	New CFS Code - 1:	New CFS Code - 2:
<p><b>NARRATIVE</b></p> <p>On 6-27-16, I sqd 135 (Griffin) attempted to make contact at the below listed apartments in regards to this complaint. I did not receive an answer at either apartment, but did obtain the resident names from the directory.</p> <p>Q309= Maurice and Gloria Weihold. R207= Norb Engebrecht</p>			
<p>164</p>			
Reporting Officer(s): Griffin, Jeffrey S.	Payroll Number: 5311	Payroll Number:	Report Date: 06/27/2016
Reviewed by: 5462	Payroll Number: 5462	Copy To:	Page: 1 Of 1

# Wauwatosa Police Department

## Supplementary Report

Incident Report Number: 16-018370	Incident Location: 9800 W Glendale Av, Wauwatosa, WI, 53225	Incident Date: 06/23/2016
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New Incident:	Original CFS Code - 1: 0999	New CFS Code - 1:	New CFS Code - 2:
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### NARRATIVE

CONTACT AT 4545 N. 92ND ST., APARTMENT R207

On Monday, 06/27/16 at approximately 6:20pm, I (Det. Martin Keck, Sq. 234) made contact with Norbert R. Engbrecht (M/W 07/08/21) at his apartment, 4545 N. 92nd St., Apartment R207. Engbrecht advised he was at home asleep during the time of this incident. He did not hear or see anything out of the ordinary.

ATTEMPT CONTACT AT 4545 N. 92ND ST., APARTMENT Q309

I went to apartment Q309 and saw Det. Romeis' business card still on the outside of the door. I attempted contact but no one answered the door.

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**Wauwatosa Police Department****Supplementary Report**

Incident Report Number: 16-018370	Incident Location: 9800 W Glendale Av, Wauwatosa, WI, 53225	Incident Date: 06/23/2016
New Incident: Suspicious Vehicle	Original CFS Code - 1: 0999	New CFS Code - 1 : 9093
New CFS Code - 2:		

**NARRATIVE**

I (P.O. Joel Kutz) assisted with this investigation. I am primarily assigned as a School Resource Officer, assigned to Whitman Middle School (11100 W. Center St.) and the elementary and private schools on the west side of Wauwatosa. One of my assigned schools is Madison Elementary School (9925 W. Glendale Ave.), which is adjacent to Madison Park.

Madison School has digital surveillance video cameras both on the interior and exterior of the school. I informed Det. Lt. Mastrocola (SQ 171) that I have access to and am able to retrieve archived footage from those cameras. He requested that I review and download video from the area for the early morning hours of 06-23-16 between 1:00 AM and 3:30 AM.

Below is a summary of my observations:

The cameras I reviewed were MA-E-02C, MA-E-02D, MA-E-01A, MA-E-01B, MA-E-01C, MA-E-05A, MA-E-05B, and MA-E-05C. The cameras labeled with 02 in the camera name are located on the west wall of the school along N. 100th St., just south of W. Glendale Ave. and cover sections of N. 100th St. both north and south of Glendale Ave., including the intersection and Glendale Ave. east and west of the intersection. The cameras labeled with 01 in the camera name are located on the north wall of the school near the main school entrance and point north. Those cameras cover the majority of W. Glendale Ave. east of N. 100th St. and into Madison Park, including the parking lot. The cameras labeled with 05 in the camera name are located on the east wall of the school. Those cameras cover part of W. Glendale Ave. (starting with the northeast corner of the school building and to the east), the parking lot east of the school, the parking lot of Madison Park and the grassy area south of Glendale Ave. (It should be noted that all of the cameras that provide coverage of Madison Park do have partial obstructions because of trees. Also, the times between cameras may be a little varied as they are recorded on 2 separate servers whose times are not exactly synced).

1:06 AM - A marked city of Wauwatosa Police SUV can be observed driving through the Madison Park lot and then leaving the area (W/B Glendale to N/B 100th).

1:15 AM - A dark colored minivan (possibly a Dodge or Chrysler) can be observed S/B on 100th to E/B on Glendale and into the Madison Park parking lot. The van parked near the northwest corner of the lot and extinguished its headlights at 1:17 AM.

Reporting Officer(s): Kutz, Joel R.	Payroll Number: 6064	Payroll Number:	Report Date: 06/23/2016
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# Wauwatosa Police Department

## Continuation

Incident Report Number 16-018370	Incident Location: 9800 W Glendale Av, Wauwatosa, WI, 53225	Incident Date: 06/23/2016
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1:37 AM - A dark colored 4 door sedan (believed to be the suspect vehicle based on the fact that it entered the lot and cannot be seen leaving the lot via Glendale Ave. prior to the incident with police shortly after 3:00 AM) can be observed S/B on 100th to E/B on Glendale and into the Madison Park parking lot. The vehicle parked southeast of the minivan (toward the center of the parking lot) and extinguished its headlights at 1:38 AM. The vehicle turned its headlights on at 1:39:16 AM and of again at 1:39:23 AM, but it did not move from its parked position.

1:58 AM - 1:59 AM - A clean top black and white city of Milwaukee Police squad car can be observed driving S/B on 100th to E/B on Glendale. As it passed Madison Elementary School, the spotlight on the squad was directed north to the grassy area of the park that is west of the parking lot. The squad can then be observed going toward the southeast end of the parking lot, turning around in the lot and exiting W/B on Glendale Ave. As it drove west on Glendale, the Milwaukee squad had its spotlight directed at Madison Elementary School. At the intersection, the Milwaukee squad turned right and went N/B on 100th St. and out of the camera view.

2:00 AM - The dark colored minivan that had parked in the Madison Park parking lot at 1:15 AM can be observed turning its headlights on and leaving the parking lot, traveling W/B on Glendale and N/B on 100th.

2:16 AM - A lighter colored 4 door sedan can be observed S/B on 100th to E/B Glendale and into the Madison Park parking lot. That vehicle leaves the lot via W/B Glendale and then stops facing west on Glendale across from the east parking lot of Madison Elementary School for about 2 minutes, before it continues W/B and then S/B on 100th. The vehicle appears to have a rounded top and curved tail lights (similar to a Ford Crown Victoria or a Mercury Grand Marquis).

2:21 AM - A dark colored sedan (possibly black and similar to a Dodge Charger) can be observed along with a light colored smaller sedan (similar to an older Toyota Corolla) N/B on 100th to E/B on Glendale and into the Madison Park parking lot. Both vehicles can be observed parking near the northwest corner of the lot for just under 2 minutes. Both leave the lot at 2:23 AM, this time with the lighter sedan in front of the dark sedan. They can be observed W/B on Glendale to S/B on 100th and out of the camera view.

3:00:56 AM - Two vehicles (they appear to be the same two that were first observed at 2:21 AM) can be observed N/B on 100th past Madison Elementary, past N. 100th St. and out of camera view.

3:01:10 AM - A marked city of Wauwatosa Police SUV squad can be observed entering the Madison Park parking lot via N/B 100th to E/B Glendale. The

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squad pulls into the lot facing east to the rear of the area that the suspect vehicle had last been observed on video parking. Due to the dark conditions and the distance, the headlights and tail lights of the squad can be observed faintly.

3:06:45 AM - Near the upper left of the screen (near the squad), a series of small flashes (consistent with muzzle flashes based on my training and experience) can be observed via camera MA-E-01C and MA-E-05C.

3:08:40 AM - Other city of Wauwatosa Police squads can be observed arriving to assist P.O. Mensah (the officer in the squad that arrived at 3:01 AM).

A copy of the video was saved to a new (never before used) Kingston 8GB flash drive that I removed from its original packaging. A secondary copy was transferred from the first 8GB drive to a Kingston 16GB flash drive. Both flash drives were turned over to Lt. Mastrocola as evidence. The 8GB drive will be turned over to Milwaukee Police Department Detectives as they conduct their investigation. Footage is also saved on the secure Wauwatosa School District servers as a routine practice for all Wauwatosa School District school buildings' surveillance video.

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# Wauwatosa Police Department

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9800 W Glendale Av, Wauwatosa, WI, 53225

Incident Date:

06/23/2016

### NAMES

#### Assisting Officer

Kutz, PO Joel W/M of 1700 N 116 St, Wauwatosa, WI, 53226  
Work Phone: (414) 471-8430

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Reporting Officer(s):





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TOSA OIS

June 30, 2016

VIA US MAIL

Chief of Police Edward A. Flynn  
Milwaukee Police Department  
Police Administration  
749 W. State Street  
Milwaukee, WI 53233

Milwaukee Police Department  
Internal Affairs Division  
6680 North Teutonia Avenue  
Room 325  
Milwaukee, Wisconsin 53209

Re: Client: Estate of Jay Anderson  
DOI: June 23, 2016  
Entity: Wauwatosa Police Department

Dear Chief Edward A. Flynn:

I have been retained to represent the family in the family's investigation of the circumstances of Jay Anderson's death on June 23, 2016. As you know, the shooting leading to Jay Ander's death occurred in Wauwatosa, Wisconsin.

On June 28, 2016, certain family members were afforded an opportunity to view a small portion of the video without audio. At that time, they were extremely distraught and, as lay people, could not fully comprehend the import of what was on the video.

Detective Luke O'Day and Lieutenant Paul Kavanaugh of the Milwaukee Police Department, did not allow counsel for the family an opportunity to view the video. Collectively, and as a result, the family was deprived of any meaningful interpretation of that video.

The family and I understand the Police Department's desire protect its investigation of Jay Anderson's death. In that regard, we do not wish to hinder that investigation in anyway.

However, by not permitting the family's counsel an opportunity to view the video, the Milwaukee Police Department deprived the family members of an opportunity to understand the full import of the video. Without that understanding, the family is also being deprived of any possibility of a timely closure regarding the death of their son.

Ultimately, the family would like to have the video released to the public. However, they would first like an opportunity to view the video, with audio, with counsel and/or their designee, in full before it is released to the media. The family members should not have to first see a complete sound included depiction of their son's death, if and when the media disseminates it. Additionally, the family would like to review accompanying police reports that provide information of the circumstances surrounding Jay Anderson's death, again with the aid of counsel.

Independent of the above request, we also have a right to these materials under the Wisconsin Open Records Law, §19.31 *et seq.* To that end, please consider this letter a formal request for the materials delineated below pursuant to that Act:

1. An opportunity for the family and I, and/or a designee, to see the complete video of the events before during and after Jay Anderson's shooting and death, accompanied by the complete audio created at the scene.
2. A copy of the all reports or other documentation authored by the subject officer which provides any rendition of events surrounding Jay Anderson's death.
3. Any autopsy report and investigation as to cause of death.

Consistent with the Open Records Law, I request a written response within the 5 days should you deny this request. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify

Additionally, if you expect a significant delay in fulfilling this request, please inform me as to the bases of the delay, and your estimation as to when we can view or receive the materials requested.

In the event of denial, please also provide the appeal procedures available to me under the Act.

In order to facilitate compliance with our request, I propose the following in order to accommodate all parties concerned. If we receive all of the information requested items within 7 business days, and with exception of any consultant that can further give us guidance on this matter, we agree to keep the materials received confidential. This should provide you adequate time to preserve the confidentiality and integrity of the investigation, and, at the same time, provide us with prompt acquisition of the material requested.

If the information is not provided to us in a meaningful manner within 7 business days, you leave us with the only remaining option available to us in order to uncover the information required for the family to have a complete and meaningful understanding of the events surrounding their son's death: the filing of a lawsuit, a circumstance which, at present, we would like to avoid.

Thank you for your anticipated cooperation. I look forward to hearing from you shortly. Please don't hesitate to call me if you have any questions or concerns.

Sincerely,



Yao O. Dinizulu

DINIZULU LAW GROUP, LTD.

cc: Lieutenant Paul Kavanagh, [pkavan@milwaukee.gov](mailto:pkavan@milwaukee.gov)  
Detective Luke O'Day, fax: 414-935-7122